

FBK/11-11-7-2017 11:00

NORTH CAROLINA REGISTER



VOLUME 12 • ISSUE 11 • Pages 917 - 989
December 1, 1997

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Cosmetic Art Examiners
Dental Examiners
Environment and Natural Resources
Health and Human Services
Insurance
Public Education
Substance Abuse Professional Certification Board
Transportation
Rules Review Commission
Contested Case Decisions

PUBLISHED BY

*The Office of Administrative Hearings
Rules Division
PO Drawer 27447
Raleigh, NC 27611-7447
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For those persons that have questions or concerns regarding the Administrative Procedure Act or any of its components, consult with the agencies below. The bolded headings are typical issues which the given agency can address, but are not inclusive:

Rule Notices, Filings, Register, Deadlines, Copies of Proposed Rules, etc.

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424 North Blount Street (919) 733-3462 FAX
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Ruby Creech, Publications Coordinator rcreech@oah.state.nc.us

Fiscal Notes & Economic Analysis

Office of State Budget and Management
116 West Jones Street (919) 733-7061
Raleigh, North Carolina 27603-8005 (919) 733-0640 FAX

contact: Mark Sisak, Economist III msisak@osbm.state.nc.us
Anna Tefft, Economist II atefft@osbm.state.nc.us

Rule Review and Legal Issues

Rules Review Commission
1307 Glenwood Ave., Suite 159 (919) 733-2721
Raleigh, North Carolina 27605 (919) 733-9415 FAX

contact: Joe DeLuca Jr., Staff Director Counsel
Bobby Bryan, Staff Attorney

Legislative Process Concerning Rule Making

Joint Legislative Administrative Procedure Oversight Committee
545 Legislative Office Building
300 North Salisbury Street (919) 733-2578
Raleigh, North Carolina 27611 (919) 715-5460 FAX

contact: Mary Shuping, Staff Liaison marys@ms.ncga.state.nc.us

County and Municipality Government Questions or Notification

NC Association of County Commissioners
215 North Dawson Street (919) 715-2893
Raleigh, North Carolina 27603

contact: Jim Blackburn or Rebecca Troutman

NC League of Municipalities
215 North Dawson Street (919) 715-4000
Raleigh, North Carolina 27603

contact: Paula Thomas

NORTH CAROLINA REGISTER



**Volume 12, Issue 11
Pages 917 - 989**

December 1, 1997

This issue contains documents officially filed through November 5, 1997.

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NORTH CAROLINA REGISTER
Publication Schedule
 (August 1997 - May 1998)

FILING DEADLINES			NOTICE OF RULE-MAKING PROCEEDINGS		NOTICE OF TEXT (either column A or column B)						
volume and issue number	issue date	last day for filing	60 th day	earliest register issue for publication of text	earliest date for public hearing	A. non-substantial economic impact			B. substantial economic impact		
						end of required comment period	deadline to submit to RRC for review at next RRC meeting	first legislative day of the next regular session	end of required comment period	deadline to submit to RRC for review at next RRC meeting	first legislative day of the next regular session
12:03	08/01/97	07/11/97	09/30/97	10/01/97	08/18/97	09/02/97	09/22/97	05/11/98	09/30/97	10/20/97	05/11/98
12:04	08/15/97	07/25/97	10/14/97	10/15/97	09/02/97	09/15/97	09/22/97	05/11/98	10/14/97	10/20/97	05/11/98
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12:06	09/15/97	08/22/97	11/14/97	12/01/97	09/30/97	10/15/97	10/20/97	05/11/98	11/14/97	11/20/97	05/11/98
12:07	10/01/97	09/10/97	12/01/97	12/15/97	10/16/97	10/31/97	11/20/97	05/11/98	12/01/97	12/22/97	05/11/98
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EXPLANATION OF THE PUBLICATION SCHEDULE

This Publication Schedule is prepared by the Office of Administrative Hearings as a public service and the computation of time periods are not to be deemed binding or controlling. Time is computed according to 26 NCAC 2C .0302 and the Rules of Civil Procedure, Rule 6.

GENERAL	FILING DEADLINES	NOTICE OF RULE-MAKING PROCEEDINGS	NOTICE OF TEXT
<p>The North Carolina Register shall be published twice a month and contains the following information submitted for publication by a state agency:</p> <ol style="list-style-type: none">(1) temporary rules;(2) notices of rule-making proceedings;(3) text of proposed rules;(4) text of permanent rules approved by the Rules Review Commission;(5) notices of receipt of a petition for municipal incorporation, as required by G.S. 120-165;(6) Executive Orders of the Governor;(7) final decision letters from the U.S. Attorney General concerning changes in laws affecting voting in a jurisdiction subject of Section 5 of the Voting Rights Act of 1965, as required by G.S. 120-30.9H;(8) orders of the Tax Review Board issued under G.S. 105-241.2; and(9) other information the Codifier of Rules determines to be helpful to the public.	<p>ISSUE DATE: The Register is published on the first and fifteen of each month if the first or fifteenth of the month is not a Saturday, Sunday, or State holiday for employees mandated by the State Personnel Commission. If the first or fifteenth of any month is a Saturday, Sunday, or a holiday for State employees, the North Carolina Register issue for that day will be published on the day of that month closest to (either before or after) the first or fifteenth respectively that is not a Saturday, Sunday, or holiday for State employees.</p> <p>LAST DAY FOR FILING: The last day for filing for any issue is 15 days before the issue date excluding Saturdays, Sundays, and holidays for State employees.</p>	<p>END OF COMMENT PERIOD TO A NOTICE OF RULE-MAKING PROCEEDINGS: This date is 60 days from the issue date. An agency shall accept comments on the notice of rule-making proceeding until the text of the proposed rules is published, and the text of the proposed rule shall not be published until at least 60 days after the notice of rule-making proceedings was published.</p> <p>EARLIEST REGISTER ISSUE FOR PUBLICATION OF TEXT: The date of the next issue following the end of the comment period.</p>	<p>EARLIEST DATE FOR PUBLIC HEARING: The hearing date shall be at least 15 days after the date a notice of the hearing is published.</p> <p>END OF REQUIRED COMMENT PERIOD</p> <ol style="list-style-type: none">(1) RULE WITH NON-SUBSTANTIAL ECONOMIC IMPACT: An agency shall accept comments on the text of a proposed rule for at least 30 days after the text is published or until the date of any public hearings held on the proposed rule, whichever is longer.(2) RULE WITH SUBSTANTIAL ECONOMIC IMPACT: An agency shall accept comments on the text of a proposed rule published in the Register and that has a substantial economic impact requiring a fiscal note under G.S. 150B-21.4(b1) for at least 60 days after publication or until the date of any public hearing held on the rule, whichever is longer. <p>DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION: The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.</p> <p>FIRST LEGISLATIVE DAY OF THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY: This date is the first legislative day of the next regular session of the General Assembly following approval of the rule by the Rules Review Commission. See G.S. 150B-21.3, Effective date of rules.</p>
<p>COMPUTING TIME: In computing time in the schedule, the day of publication of the North Carolina Register is not included. The last day of the period so computed is included, unless it is a Saturday, Sunday, or State holiday, in which event the period runs until the preceding day which is not a Saturday, Sunday, or State holiday.</p>			

**EXECUTIVE ORDER NO. 120
EXTENDING EXECUTIVE ORDERS**

By the power vested in me as Governor by the Constitution and laws of the State of North Carolina, IT IS ORDERED:

The following Executive Orders are extended to December 31, 1998:

Executive Order No. 26, Board of Trustees of the North Carolina Public Employee Deferred Compensation Plan.

Executive Order No. 27, Governor's Commission for Recognition of State Employees.

Executive Order No. 29, Teacher Advisory Committee.

Executive Order No. 30, Highway Beautification Council.

Executive Order No. 34, Highway Safety Commission.

Executive Order No. 81, Creation of the Family Support Trust Fund.

Executive Order No. 84, North Carolina Home Furnishings Export Council.

Executive Order No. 88, Statewide Flexible Benefits Program.

This order is effective immediately.

Done in Raleigh, North Carolina, this the 22nd day of October, 1997.

U.S. Department of Justice

Civil Rights Division

IKP:GS:TAT:emr
DJ 166-012-3
97-2466

*Voting Section
P.O. Box 66128
Washington, DC 20035-6128*

Mr. Gary O. Bartlett
Executive Secretary-Director
North Carolina State Board of Elections
P.O. Box 2169
Raleigh, North Carolina 27602-2169

October 14, 1997

Dear Mr. Bartlett:

This refers to the amendments to Section IX of the "Policies and Procedures for the Implementation of the National Voter Registration Act of 1993 ["NVRA"] and Article 7A, Chapter 163 of the North Carolina General Statutes" regarding the processing of provisional ballots in the State of North Carolina, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submission on August 14, 1997.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.41). In this regard, the granting of Section 5 preclearance does not preclude the Attorney General or private individuals from filing a civil action pursuant to Section 11 of the NVRA, 42 U.S.C. 1973gg-9.

Sincerely,

Isabelle Katz Pinzler
Acting Assistant Attorney General
Civil Rights Division

By:

Elizabeth Johnson
Chief, Voting Section

A Notice of Rule-making Proceedings is a statement of subject matter of the agency's proposed rule making. The agency must publish a notice of the subject matter for public comment at least 60 days prior to publishing the proposed text of a rule. Publication of a temporary rule serves as a Notice of Rule-making Proceedings and can be found in the Register under the section heading of Temporary Rules. A Rule-making Agenda published by an agency serves as Rule-making Proceedings and can be found in the Register under the section heading of Rule-making Agendas. Statutory reference: G.S. 150B-21.2.

TITLE 10 - HEALTH AND HUMAN SERVICES

CHAPTER 30 - FOOD ASSISTANCE

CHAPTER 41 - CHILDREN'S SERVICES

CHAPTER 42 - INDIVIDUAL AND FAMILY SUPPORT

Notice of Rule-making Proceedings is hereby given by the Social Services Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making:
10 NCAC 30 .0207; 10 NCAC 41E and 41G; 10 NCAC 42R .0201. Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making:
10 NCAC 30 .0207 - G.S. 108A-51; 143B-153
10 NCAC 41E and 41G - G.S. 131D-10.5
10 NCAC 42R .0201 - S.L. 1997 - 443

Statement of the Subject Matter:
10 NCAC 30 .0207 - Combined Food Stamp benefit change.
10 NCAC 41E and 41G - Licensing of Group Homes for Children, Minimum Standards for Child Caring Institutions.
10 NCAC 42R .0201 - Increase current maximum rates for adult day care, adult day care health services and transportation when purchased through the State Adult Day Care Fund.

Reason for Proposed Action:
10 NCAC 30 .0207 - P.L. 104-193 provided state with several options regarding the issuance of food stamp benefits to applicants who apply after the 15th day of the month. Currently, states may issue the prorated first months' benefit and the next full month benefit in one allotment or issue each allotment as a separate issuance. The proposed temporary amendment to 10 NCAC 30 .0207 will allow applicants to receive each food stamp allotment as a separate issuance and simplify the delivery of food stamp benefits to eligible families. Families will receive a separate allotment for each month of eligibility thereby enabling them to plan and budget their food purchases with the knowledge of their future

receipt of food stamp benefits.
10 NCAC 41E and 41G - Historically there have been two different sets of licensure standards for residential child care facilities -- one set for group homes and the other for child care institutions. Knowledge about residential child care programs has increased in the past twenty years and the proposed amendments will bring the licensure rules in line with the knowledge. The proposed changes will combine the two sets into one set of Core Standards. Thereby, improving the quality of licensure requirements and providing enhanced protection for children placed in residential child care facilities.

10 NCAC 42R .0201 - The cost of providing adult day care and adult day health has increased since the last increase to the maximum rates (July 1994), therefore, the maximum rates must be increased to come closer to the provider's actual costs. The maximum rate for transportation has not been increased since the early 1980's, which has caused providers to operate at a loss when transportation is provided to participants. A separate rate is being established for adult day health services in recognition of the higher costs of providing this level of care and in order to match the rate being paid by the Division of Medical Assistance for the same service. The North Carolina General Assembly expanded the amount of SSBG/State funds available to the State Adult Day Care fund, allowing for the rate increases without reducing the numbers of clients to be served.

Comment Procedures: Anyone wishing to comment should contact Sharnese Ransome, APA Coordinator, Social Services Commission, NC Division of Social Services, 325 N. Salisbury St., Raleigh, NC 27603, phone 919/733-3055.

TITLE 15A - ENVIRONMENT AND NATURAL RESOURCES

CHAPTER 7 - COASTAL MANAGEMENT

SUBCHAPTER 7H - STATE GUIDELINES FOR AREAS OF ENVIRONMENTAL CONCERN

Notice of Rule-making Proceedings is hereby given by the ENR - Coastal Resources Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 15A NCAC 7H .0310. Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 113A-107; 113A-113(b); 113A-124

Statement of the Subject Matter: Pier and bulkhead rules for inlet hazard areas.

Reason for Proposed Action: The proposed rule will allow construction of piers and shoreline stabilization measures along shorelines of Inlet Hazard areas that have characteristics of Estuarine Shorelines.

Comment Procedures: Contact Charles Jones, 151-B Hwy. 24, Morehead City, NC 28570, (919) 808-2808.

CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY

SUBCHAPTER 10F - MOTORBOATS AND WATER SAFETY

Notice of Rule-making Proceedings is hereby given by the North Carolina Wildlife Resources Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 15A NCAC 10F .0311, .0317, .0327. Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 75A-3; 75A-15

Statement of the Subject Matter:

15A NCAC 10F .0311 - Proposed no-wake zone in the waters of Kerr Lake, NC 39 Bridge, Vance County.

15A NCAC 10F .0317 - Proposed no-wake zone Stanly County - Harper Herne Lake.

15A NCAC 10F .0327 - Proposed no-wake zone in the waters of Badin Lake, Lakeshore Drive, Montgomery County.

Reason for Proposed Action:

15A NCAC 10F .0311 - The Vance County Board of

Commissioners initiated the no-wake zone pursuant to G.S. 75A-15 to protect public safety in the area by restricting vessel speed.

15A NCAC 10F .0317 - The Stanly County Board of Commissioners initiated the no-wake zone pursuant to G.S. 75A-15 to protect public safety in the area by restricting vessel speed.

15A NCAC 10F .0327 - The Montgomery County Board of Commissioners initiated the no-wake zone pursuant to G.S. 75A-15 to protect public safety in the area by restricting vessel speed.

Comment Procedures: The record will be open for receipt of written comments from December 1, 1997 to January 30, 1998. Such written comments must be delivered or mailed to the North Carolina Wildlife Resources Commission, 512 N. Salisbury Street, Raleigh, NC 27604-1188.

CHAPTER 18 - ENVIRONMENTAL HEALTH

SUBCHAPTER 18A - SANITATION

Notice of Rule-making Proceedings is hereby given by the Commission for Health Services in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 15A NCAC 18A .3101 - .3111. Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 130A-131.5; 130A-131.7; 130A-131.8; 130A-131.9A-G

Statement of the Subject Matter: Childhood Lead Exposure Control

Reason for Proposed Action: These rules will provide clarification and conformity with recently adopted legislation governing Childhood Lead Exposure Control. These rules will be filed as temporary rules.

Comment Procedures: Written comments should be mailed to Ed Norman, DENR Division of Environmental Health, PO Box 29534, Raleigh, NC 27626-0534.

This Section contains the text of proposed rules. At least 60 days prior to the publication of text, the agency published a Notice of Rule-making Proceedings. The agency must accept comments on the proposed rule for at least 30 days from the publication date, or until the public hearing, or a later date if specified in the notice by the agency. The required comment period is 60 days for a rule that has a substantial economic impact of at least five million dollars (\$5,000,000). Statutory reference: G.S. 150B-21.2.

TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Wildlife Resources Commission intends to amend rules cited as 15A NCAC 10F .0330 and .0339. Notice of Rule-making Proceedings was published in the Register on September 2, 1997.

Proposed Effective Date: July 1, 1998

A Public Hearing will be conducted at 10:00 a.m. on December 18, 1997 at the Archdale Building, Room 332, 512 N. Salisbury Street, Raleigh, NC 27603.

Reason for Proposed Action:

15A NCAC 10F .0330 - To correct an error of omission for designating placement and maintenance of markers needed to regulate boat speed in congested areas.

15A NCAC 10F .0339 - McDowell County Board of Commissioners initiated the no-wake zone pursuant to G.S. 75A-15, to protect public safety in the area by restricting vessel speed.

Comment Procedures: Interested persons may present their views either orally or in writing at the hearing. In addition, the record of hearing will be open for receipt of written comments from December 1, 1997 to December 31, 1997. Such written comments must be delivered or mailed to the NC Wildlife Resources Commission, 512 N. Salisbury Street, Raleigh, NC 27604-1188.

Fiscal Note: These Rules do not affect the expenditures or revenues of state or local government funds. These Rules do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY

SUBCHAPTER 10F - MOTORBOATS AND WATER SAFETY

SECTION .0300 - LOCAL WATER SAFETY REGULATIONS

.0330 CARTERET COUNTY

(a) Regulated Areas. This Rule applies to the following waters in Carteret County:

- (1) the waters of Money Island Slough beginning at the

east end of Money Island near the Anchorage Marina Basin and ending at the west end of Money Island where Brooks Avenue deadends at the slough;

- (2) the waters of Taylor Creek located within the territorial limits of the Town of Beaufort;
- (3) the waters of Pelletier Creek beginning at the entrance to Pelletier Creek at the Intracoastal Waterway and ending at U.S. Highway 70;
- (4) the waters of Bogue Sound in Morehead City between Sugar Loaf Island and the seawall on the south side of Evans, Shepard and Shackelford Streets and bounded on the east by the State Ports Authority and on the west by the eastern right-of-way margin of South 13th Street extended;
- (5) the waters of Gallant's Channel from the US 70 crossing over the Grayden Paul bridge to Taylor's Creek;
- (6) the waters of Cedar Island Bay and Harbor from U.S. 70 to Cedar Island Bay Channel Light 8;
- (7) the waters of Radio Island Creek;
- (8) the waters of the Newport River beginning at the north side of the Beaufort Drawbridge and ending at marker #6;
- (9) the waters of Spooners Creek beginning 100 feet south of the bulkhead area in the entrance to Spooners Creek and extending approximately 500 feet up Spooners Creek to a point on the north side of the first fork to the east as indicated by the appropriate markers;
- (10) the waters of Taylor's Creek from the eastern end of the current no wake zone eastward to Channel Marker #1A.

(b) Speed Limit. It is unlawful to operate a motorboat or vessel at a speed greater than no-wake speed while on the waters of the regulated areas designated in Paragraph (a) of this Rule.

(c) Placement and Maintenance of Markers. The Board of Commissioners of Carteret County, with respect to the regulated areas designated in Subparagraphs (1), (3), (5), (6), (7), ~~(8)~~ (8), (9) and (10) of Paragraph (a) of this Rule, and the Board of Commissioners of the Town of Beaufort, with respect to the regulated area designated in Subparagraph (2) of Paragraph (a) of this Rule, and the Board of Commissioners of Morehead City, with respect to Subparagraph (4) of Paragraph (a) of this Rule, are designated as suitable agencies for placement and maintenance of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.

Authority G.S. 75A-3; 75A-15.

1995.

.0339 MCDOWELL COUNTY

(a) Regulated Areas. This Rule applies to the following waters located on Lake James in McDowell County:

- (1) that area adjacent to the shoreline of the McDowell Wildlife Club property;
- (2) that area adjacent to the shoreline of the Marion Moose Club property;
- (3) that area known as Morgan Cove;
- (4) that area within 50 yards of the shoreline at the New Manna Baptist Youth Camp;
- (5) that area within 50 yards of the shoreline at Burnett's Landing;
- (6) the cove area adjacent to the State Park swimming area;
- (7) the cove area adjacent to the State Park picnic area and dock;
- (8) that area within 50 yards of camping areas in the Lake James State Park as designated by the appropriate markers;
- (9) that area within 50 yards of the boat launching ramp at the Marion Lake Club;
- (10) that area within 50 yards in either direction from the marina docks in Plantation Point Cove;
- (11) that designated area of Goodman's Landing Cove within 50 yards of the swimming area and boat docks of Goodman's Campground;
- (12) that area beginning at the rock shoals located at Deerfield Campground downstream for a distance of approximately 200 yards as delineated by appropriate markers;
- (13) that area as delineated by appropriate markers along the ~~north~~ shoreline of the development known as Lakeview Pointe.

(b) Speed Limit. No person shall operate any motorboat or vessel at greater than no-wake speed within any of the regulated areas described in Paragraph (a) of this Rule.

(c) Restricted Swimming Areas. No person operating or responsible for the operation of any vessel, surfboard or waterskis shall permit the same to enter any marked swimming area located on the regulated area.

(d) Placement and Maintenance of Markers. The Board of Commissioners of McDowell County is designated a suitable agency for placement and maintenance of the markers implementing this Rule.

Authority G.S. 75A-3; 75A-15.

Notice is hereby given in accordance with G.S. 150B-21.2 that the NC Water Treatment Facility Certification Board intends to amend rules cited as 15A NCAC 18D .0105, .0201, .0307, .0405; and adopt rules cited as 15A NCAC 18D .0308 - .0309, .0701. Notice of Rule-making Proceedings was published in the Register on December 15,

Proposed Effective Date: August 1, 1998

A Public Hearing will be conducted at 9:30 a.m. on December 16, 1997 at the Parker Lincoln Building, 1A-224, Training Room, Raleigh, NC.

Reason for Proposed Action: The Board plans to establish continuing education requirements for operator certification renewal. Also, the Board would like for a person holding an A-Surface certification to be eligible to take the C-Well examination without being required to have three months of well system experience. The Board wants to require an examination before granting certification by reciprocity. In addition, the Board wants to change the requirements for the operator in responsible charge to have better control over the management of water treatment facilities.

Comment Procedures: All persons interested in this matter are invited to attend the public hearing. The North Carolina Water Treatment Facility Operators Certification Board will accept mailed written comments received by December 31, 1997. Any person desiring to present lengthy comments is requested to submit a written statement for inclusion in the record of proceedings at the public hearing. Additional information concerning the hearings or the proposals may be obtained by contacting Lena Williams, NCWTFOCB, PO Box 29595, Raleigh, NC 27626-0595, (919) 715-3218.

Fiscal Note: Rules 15A NCAC 18D .0201 and .0308 do affect the expenditures or revenues of state and local government funds. Rules 15A NCAC 18D .0105, .0307, .0309, .0405, and .0701 do not affect the expenditures or revenues of state or local government funds. None of these Rules have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

CHAPTER 18 - ENVIRONMENTAL HEALTH

SUBCHAPTER 18D - WATER TREATMENT FACILITY OPERATORS

SECTION .0100 - GENERAL POLICIES

.0105 DEFINITIONS

The following definitions shall apply throughout this Subchapter:

- (1) "Acceptable Experience" means the active, daily, on-site performance of operational duties, including water facility laboratory duties, at a water treatment facility; a minimum of 50 percent of the experience requirement must consist of these duties. This 50 percent minimum experience may be 50 percent on-site duties for 100 percent of the time period requirements or 100 percent on-site duties for 50 percent of the time period requirements. The other

50 percent may be in related fields such as wastewater facility operation, wastewater laboratory, water pumping stations, or water system design and engineering. The experience of Division of Environmental Health, Public Water Supply Section personnel may be acceptable if their job duties include inspection or on-site technical assistance of water treatment facilities which is sufficient to meet the 50 percent minimum.

- (2) "Board" means the Water Treatment Facility Operators Board of Certification.
- (3) "Certified Operator" means any holder of a certificate issued by the Board in accordance with the provisions of G.S. 90A-20 to -29.
- (4) "College Graduate" means a graduate of an accredited four-year institution awarding degrees on the bachelor level.
- (5) "Licensee" means any person who holds a current certificate issued by the water treatment facility operators board of certification.
- (6) "Owner" shall mean person, political subdivision, firm, corporation, association, partnership or non-profit corporation formed to operate a public water supply facility.
- (7) "Political Subdivision" means any city, town, county, sanitary district, or other governmental agency or privately owned public water supply operating a water treatment facility.
- (8) "Operator in responsible charge" means a person designated by the owner of the water treatment facility to be responsible for the total operation and maintenance of the facility. ~~The operator in responsible charge must possess a valid certificate issued by the Board equivalent to or exceeding the classification of the facility for which he or she is designated. The operator in responsible charge is actually in charge of the daily operation and maintenance of the treatment facility and shall reside within 50 miles of the facility and shall be readily available for consultation on the premises of the facility in case of an emergency, malfunction or breakdown of equipment or other needs. No person shall be in responsible charge of more than one surface water facility or five well water facilities without written permission from the Board. A request for permission shall include documentation that the facilities in question can be managed in compliance with the requirements of 15A NCAC 18C. An owner may designate a different person to be the operator in responsible charge for surface water treatment facilities, well water facilities, and distribution facilities.~~
- (9) "Secretary" shall mean the Secretary of the Department of ~~Environment, Health~~ Environment and Natural Resources.
- (10) "Water Treatment Facilities" means any facilities for public water supplies including source of

supply, treatment, storage, pumping or distribution of water for human consumption.

- (11) "Service Connection" means a water tap made to provide a water connection to the water distribution system.
- (12) "Fire Protection System" means dry or wet sprinkler systems or fire hydrant connection to the water distribution system.

Authority G.S. 90A-21(c).

SECTION .0200 - QUALIFICATION OF APPLICANTS AND CLASSIFICATION OF FACILITIES

.0201 GRADES OF CERTIFICATION

Applicants for the various grades of certification shall meet the following educational and experience requirements:

- (1) GRADE A-SURFACE shall have one year acceptable experience at a surface water facility while holding a Grade B-Surface certificate and have satisfactorily completed an approved A-Surface school.
- (2) GRADE B-SURFACE shall:
 - (a) Be a college graduate with a bachelor's degree in the physical or natural sciences or be a graduate of a two year technical program with a diploma in water and wastewater technology, and have six months of acceptable experience at a surface water facility, or
 - (b) Have one year of acceptable experience at a surface water facility while holding a Grade C-Surface certificate and have satisfactorily completed an approved B-Surface school.
- (3) GRADE C-SURFACE shall:
 - (a) Be a college graduate with a bachelor's degree in the physical or natural sciences or be a graduate of a two year technical program with a diploma in water and wastewater technology, and have six months of acceptable experience at a surface water facility, or
 - (b) Be a high school graduate or equivalent, have six months acceptable experience at a surface water facility and have satisfactorily completed an approved C-Surface school.
- (4) GRADE A-WELL shall have one year of acceptable experience at a well water facility while holding a Grade B-Well certificate and have satisfactorily completed an approved A-Well school.
- (5) GRADE B-WELL shall:
 - (a) Be a college graduate with a bachelor's degree in the physical or natural sciences or be a graduate of a two year technical program with a diploma in water and

- wastewater technology, and have six months of acceptable experience at a well water facility, or
- (b) Have one year of acceptable experience at a well water facility while holding a Grade C-Well certificate and have satisfactorily completed an approved B-Well school.
- (6) GRADE C-WELL shall:
- (a) Be a college graduate with a bachelor's degree in the physical or natural sciences or be a graduate of a two year technical program with a diploma in water and wastewater technology, and have six months of acceptable experience at a well water facility, or
- (b) Have six months of acceptable experience at a well water facility and have satisfactorily completed an approved C-Well ~~school~~ school, or
- (c) Hold a GRADE A-SURFACE certification and have satisfactorily completed an approved C-Well school.
- (7) GRADE A-DISTRIBUTION shall have one year of acceptable experience at Class B or higher distribution system while holding a Grade B-Distribution certificate and have satisfactorily completed an approved A-Distribution school, and hold current cardiopulmonary resuscitation certificate.
- (8) GRADE B-DISTRIBUTION shall:
- (a) Be a college graduate with a bachelor's degree in the physical or natural sciences or be a graduate of a two year technical program with a diploma in water and wastewater technology, and have six months of acceptable experience at a Class B or higher distribution system, or
- (b) Have one year of acceptable experience at a Class C or higher distribution system while holding a Grade C-Distribution certificate and have satisfactorily completed an approved B-Distribution school.
- (9) GRADE C-DISTRIBUTION shall hold a certificate of completion of approved trench shoring training and shall:
- (a) Be a college graduate with a bachelor's degree in the physical or natural sciences, or be a graduate of a two year technical program with a diploma in water and wastewater technology, and have six months of acceptable experience at a Class C or higher distribution system, or
- (b) Be a high school graduate or equivalent, have six months of acceptable experience at a Class C or higher distribution system and have satisfactorily completed an approved C-Distribution school, or

- (c) Have one year of acceptable experience at a Class C or higher distribution system and have satisfactorily completed an approved C-Distribution school.
- (10) GRADE CROSS-CONNECTION-CONTROL shall:
- (a) Be a college graduate with a bachelor's degree in the physical or natural sciences, or be a graduate of a two-year technical program with a degree in water and wastewater or civil engineering technology, and have satisfactorily completed an approved cross connection control school, or
- (b) Be a high school graduate or equivalent, have six months of acceptable experience at Class C-Distribution or higher system and have satisfactorily completed an approved cross connection control school, or
- (c) Have one year of acceptable experience at a Class C-Distribution or higher system while holding a Grade C-Distribution or higher certificate and have satisfactorily completed an approved cross connection school, or
- (d) Be a plumbing contractor licensed by the State of North Carolina and have satisfactorily completed an approved cross connection control school.

Authority G.S. 90A-21(c); 90A-22; 90A-23.

SECTION .0300 - APPLICATIONS AND FEES

.0307 REVOCATION OF CERTIFICATE

- (a) If an operator fails to renew his/her certificate and allows it to lapse five years, his/her certificate shall be revoked.
- (b) If an operator fails to meet the continuing education requirements of Rule .0308(a) of this Section, his/her certificate shall be revoked.
- (c) If an operator in responsible charge fails to meet the requirements of 15A NCAC 18D .0701, his/her certificate may be revoked.

Authority G.S. 90A-25.1; 90A-26.

.0308 CONTINUING EDUCATION

- (a) An operator holding an A-Well, B-Well, C-Well, A-Surface, B-Surface, or C-Surface certification shall complete six contact hours of instruction during the year immediately preceding annual certification renewal for each certification renewed. The same contact hours may be credited to both well and surface certifications for an individual operator holding both types of certifications if the instruction is relevant to both surface water and well water technology. The instruction shall be related to system operation or professional development as needed and determined by the individual operator. With the annual certification renewal

application, the operator shall report in a format designated by the Board the contact hours completed during the year.

(b) The organization providing the instruction shall give each participant certificate or other proof of successful completion which includes the name of the provider, the provider's address, and contact person with telephone number. The proof of completion shall identify the name of the participant, the number of contact hours completed, the course name, the instructor's name, and the date of the instruction received. For in-house training, a qualified third-party instructor from outside of the organization shall provide the instruction. If an operator fails to provide proof of the required six contact hours of instruction at the time of annual certification renewal, the certification shall be revoked.

Authority G.S. 90A-25.1; 90A-26.

.0309 CERTIFICATION REINSTATEMENT

(a) An operator whose certification has been revoked for failure to renew for five years may have the certification reinstated by successfully passing another certification examination for that grade.

(b) An operator whose certification has been revoked for failure to obtain six hours of annual continuing education credit may have the certification reinstated by successfully passing another certification examination for that grade.

Authority G.S. 90A-25.1; 90A-26.

SECTION .0400 - ISSUANCE OF CERTIFICATE

.0405 RECIPROCAL CERTIFICATES

Applications for certification of an operator certified in a state other than North Carolina shall be submitted on a form approved by the Board. The application shall supply information which will assist the Board in determining whether or not the requirements under which the out-of-state certification was obtained are equal to those required by the regulations of the Water Treatment Facility Operators Board of Certification. The applicant shall be a resident of North Carolina or shall submit a letter from a North Carolina employer stating intent to hire applicant to work in the area of water treatment facility operation. The applicant shall successfully pass a North Carolina certification examination at the reciprocal grade level before the certification may be issued. The education and experience requirements for eligibility for examination do not apply when the examination is for reciprocal certification.

Authority G.S. 90A-21(c); 90A-25(b).

SECTION .0700 - OPERATIONS AND MANAGEMENT

.0701 OPERATOR IN RESPONSIBLE CHARGE

(a) The operator in responsible charge must possess a valid certificate issued by the Board equivalent to or exceeding the

classification of the facility for which he or she is designated. The operator in responsible charge is actually in charge of the daily operation and maintenance of the treatment facility and shall reside within 50 miles of the facility and shall be readily available for consultation on the premises of the facility in case of an emergency, malfunction or breakdown of equipment or other needs. No person shall be in responsible charge of more than one surface water facility or five well water facilities without written permission from the Board. A request for permission shall include documentation that the facilities in question can be managed in compliance with the requirements of 15A NCAC 18C. An owner may designate a different person to be the operator in responsible charge for surface water treatment facilities, well water facilities, and distribution facilities.

(b) The operator in responsible charge is actually in charge of the daily operation and maintenance of the facility and shall reside within 50 miles of the facility and shall be readily available for consultation on the premises of the facility in case of an emergency, malfunction or breakdown of equipment or other needs. The operator in responsible charge of a non-community public water system shall not reside more than 50 miles from the facility without written permission from the Board. No person shall be in responsible charge of more than:

- (1) One surface water treatment facility without written permission from the Board, or
- (2) Five community public water systems with well water facilities without written permission from the Board and not to exceed 15 well water facilities for community public water systems in any event, or
- (3) Ten non-community public water systems with well water facilities without written permission from the Board and not to exceed 30 well water facilities for non-community public water systems in any event.

(c) When permission from the Board is required, the request shall include sufficient documentation to satisfy the Board that the facilities in question can be managed in compliance with the requirements of 15A NCAC 18C.

(d) An owner may designate a different person to be the operator in responsible charge for surface water treatment facilities, well water facilities, and distribution facilities.

(e) The operator in responsible charge shall report with annual certification renewal the name(s) and public water system identification number(s) for all systems for which the operator is the operator in responsible charge.

(f) If an operator in responsible charge takes responsibility for an additional system or relinquishes responsibility for any system, the operator shall notify the Board in writing within 30 days of this change.

Authority G.S. 90A-21(c).

TITLE 21 - OCCUPATIONAL LICENSING BOARDS

CHAPTER 14 - BOARD OF COSMETIC
ART EXAMINERS

Notice is hereby given in accordance with G.S. 150B-21.2 that the N.C. State Board of Cosmetic Art Examiners intends to adopt rules cited as 21 NCAC 14B .0605; 14J .0207, .0306 - .0307; amend 14A .0101; 14G .0003, .0007, .0013; 14H .0005, .0013, .0018; 14I .0104 - .0105, .0107, .0109, .0401; 14J .0102 - .0103, .0202, .0206, .0303, .0501; 14K .0001, .0003; 14L .0101, .0105, .0214; 14N .0102 - .0105, .0107 - .0108, .0113; repeal 14H .0019; 14J .0104 - .0105, .0204 - .0205, .0401 - .0404; 14L .0108. Notice of Rule-making Proceedings was published in the Register on September 15, 1997.

Proposed Effective Date: August 1, 1998

A Public Hearing will be conducted at 8:00 a.m. on January 6, 1998 at the N.C. State Board of Cosmetic Art Examiners, 1110 Navaho Drive, Suite 500, Raleigh, NC 27609.

Reason for Proposed Action: To update the curriculum that was outdated.

Comment Procedures: Written comments concerning this rule-making action must be submitted by January 6, 1998 to Dee Williams, Rule-Making Coordinator, N.C. State Board of Cosmetic Art Examiners, 1110 Navaho Drive, Suite 500, Raleigh, NC 27609.

Fiscal Note: These Rules do not affect the expenditures or revenues of state or local government funds. These Rules do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

SUBCHAPTER 14A - DEPARTMENTAL
RULES

SECTION .0100 - ORGANIZATIONAL RULES

.0101 DEFINITIONS

The following definitions apply in this Chapter:

- (1) "Beauty Establishment" refers to both cosmetic art schools and cosmetic art shops.
- (2) "Board" refers to the North Carolina State Board of Cosmetic Art Examiners.
- (3) "Cosmetic Art School" refers to any place where cosmetic art, as defined by G.S. 88-2, or methods of teaching cosmetic art are taught for purposes of licensing by the Board regardless of the title of the school or program.
- (4) "Cosmetic Art Shop" refers to any building, or part thereof, wherein cosmetic art, as defined by G.S. 88-2, is practiced, other than a cosmetic art school.
- (5) "Cosmetology School" is any cosmetic art school which teaches cosmetology as defined by G.S. 88-2, Paragraph 2, but is not a manicurist school.

- (6) "Cosmetology Student" is a student in any cosmetic art school with the exception of a manicurist student.
- (7) "Cosmetology Teacher" is any teacher who is licensed by the Board to teach the cosmetic arts.
- (8) "Manicuring" is that set of cosmetic arts related to the nails, hands, arms and feet. It includes traditional manicuring, pedicuring, arm and hand massages, and all types of artificial nails.
- (9) "Manicurist School" is a cosmetic art school which teaches only the cosmetic arts of manicuring.
- (10) "Manicurist Student" is a student in any cosmetic art school whose study is limited to the manicurist curriculum set forth in 21 NCAC 14K .0002.
- (11) "Manicurist Teacher" is a teacher who is licensed by the Board to teach only the manicuring curriculum.
- (12) "Booth" is a work station within a cosmetic art shop which is used primarily by one cosmetologist or manicurist in performing cosmetic art services for their clientele. "Booth" does not include the reception area, lavatories, common hair-drying facilities, common shampooing facilities or other areas used in common by the cosmetologists or manicurists working within a cosmetic art shop.
- (13) ~~"Cosmetic Art", as defined in G.S. 88-2, includes all methods and styles of braiding the hair, coloring the hair, and extending or thickening an individual's own hair by the incorporation of additional hair.~~

Authority G.S. 88-1; 88-23;

SUBCHAPTER 14B - RULE-MAKING
PROCEDURES

SECTION .0600 - FEES

.0605 COSMETOLOGIST LICENSE FEE

In addition to the fees set by G.S. 88-21, the following fee shall be payable to the Board: the license fee and the renewal fee of a registered cosmetologist shall be no more than thirty-nine dollars (\$39.00) for three years payable in advance if the license is renewed before it becomes delinquent.

Authority G.S. 88-23.

SUBCHAPTER 14G - REQUIREMENTS FOR
THE ESTABLISHMENT OF COSMETIC
ART SCHOOLS

.0003 SPACE REQUIREMENTS

(a) The Cosmetic Art Board will issue letters of approval only to cosmetology schools that have at least ~~2180~~ 2800 square feet of inside floor space for 20 stations or ~~3240~~ 4200 square feet of inside floor space for 30 stations located within the same building. An additional 140 square feet of floor

space will be required for each station above 20 stations, up to and including a total of 30 stations. Thereafter, an additional 40 square feet will be required for each station in excess of 30 stations. For purpose of this Rule, the day and night classes shall be counted as separate enrollments. As an exception, a school may have a recitation room located in an adjacent building or another building within 500 feet of the main cosmetology building.

~~(b)~~ Cosmetology schools approved with 2180 square feet of inside floor space may enroll no more than 50 students at one time, and for each student enrolled in addition to 50 students, 50 square feet of inside floor space must be provided. Cosmetology schools approved with 3240 square feet of inside floor space may enroll no more than 60 students at one time, and for each student enrolled in addition to 60 students, 50 square feet of inside floor space must be provided. For purpose of this Rule, the day and night classes shall be counted as separate enrollments.

~~(b)~~ ~~(c)~~ In addition each cosmetology school must have 30 no less than 20 hairdressing stations, arranged to accommodate not less than 30 20 students and arranged so that the course of study and training in cosmetology, as prescribed by the Board, may be given. All stations must be numbered numerically.

~~(c)~~ ~~(d)~~ Cosmetology schools must also have a beginner department containing sufficient space to comfortably accommodate at least ten students and having at least 40 inches between mannequins.

~~(d)~~ ~~(e)~~ The Board will issue letter of approval only to manicurist schools that have at least 1,000 square feet of inside floor space located within the same building.

~~(e)~~ ~~(f)~~ Manicurist schools with 1,000 square feet of inside floor space shall enroll no more than 20 students at one time, and for each student enrolled in addition to 20 students, 50 square feet of inside floor space must be provided.

~~(f)~~ ~~(g)~~ In addition, manicurist schools must have ten manicurist tables and chairs a minimum of two feet apart, side to side, arranged to comfortably accommodate ten students.

Authority G.S. 88-23.

.0007 EQUIPMENT AND TEACHERS

(a) A cosmetic art school shall have the necessary classrooms and equipment for teaching as required by Subchapters 14I and 14J, and shall provide a staff of cosmetic art teachers licensed by the Board.

(b) The Board shall not accept an application for a letter of approval until all furniture, supplies and equipment as prescribed by the Board has been installed and the entire school is complete.

(c) All courses in a cosmetic art school must be taught by a licensed cosmetology teacher, except that manicuring courses may be taught by either a licensed cosmetology teacher or a licensed manicurist teacher.

(d) Authority for direction of the cosmetology program shall be delegated to a full-time director/manager at each

cosmetic art school location. This authority encompass responsibilities for maintaining the Act to Regulate the Practice of Cosmetic Art in the State of North Carolina and other legal requirements in all areas of the program, as listed in said Act. The program director shall records supervise maintenance of all student records and verify and sign each student's application for the licensing examination as "Manager" of the cosmetology school before sending the application to the North Carolina State Board of Cosmetic Art Examiners.

~~(e)~~ ~~(d)~~ Notwithstanding Paragraph (c) of this Rule, a registered cosmetologist not licensed to teach cosmetic art may substitute for a cosmetology or manicurist teacher and a registered manicurist not licensed by this Board as a manicurist teacher may substitute for a manicurist teacher. In no event may such a substitution last for more than ~~10~~ 15 working days: days per year per teacher.

Authority G.S. 88-23; 88-30.

.0013 TEACHER/STUDENT RATIO

(a) All cosmetic art schools shall provide one teacher for every 20 students, or a fraction thereof, present.

(b) This ratio shall be adhered to at all times schools are in operation. Refer to 21 NCAC 14G .0015.

(c) Each teaching cosmetology facility member shall not be responsible for more than 20 students in the same time period. A second instructor is needed for two levels of instruction, beginner and advanced if taught in the same time period.

Authority G.S. 88-23; 88-30.

SUBCHAPTER 14H - SANITATION

.0005 SANITARY RATINGS AND POSTING OF RATINGS

(a) The sanitary rating of a beauty establishment shall be based on a system of grading outlined in this Subchapter. Based on the grading, all establishments will be rated in the following manner:

- (1) all establishments receiving a rating of at least 90 percent or more, shall be awarded a grade A;
- (2) all establishments receiving a rating of at least 80 percent, and less than 90 percent, shall be awarded grade B; and B.
- ~~(3) all establishments receiving a rating of at least 70 percent, and less than 80 percent, shall be awarded grade C.~~

(b) Every beauty establishment shall be given a sanitary rating. A cosmetic art school may be graded four times a year, and a cosmetic art salon may be graded once a year.

(c) The sanitary rating given to a beauty establishment shall be posted in a conspicuous place at all times.

(d) No beauty establishment shall be permitted to operate without first having obtained a sanitary rating card with a grade of not less than ~~70~~ 80 percent.

(e) Cosmetic art inspectors shall give each beauty establishment a new sanitary rating card each year.

(f) Violation of any sanitary rules, or the operation of a beauty establishment which fails to receive a sanitary rating of at least ~~70~~ 80 percent (grade ~~E~~ D) shall be sufficient cause for revoking or suspending the letter of approval or permit.

(g) A re-inspection for the purpose of raising the sanitary rating of a beauty establishment shall not be given within 30 days of the last inspection, unless the rating at the last inspection was less than ~~70~~ 80 percent.

Authority G.S. 88-23; 88-30.

.0013 CLEANLINESS OF SCISSORS: SHEARS: RAZORS AND OTHER EQUIPMENT

(a) All scissors, shears, razors, and other metal instruments used while shaping hair must be cleaned and disinfected after each use in the following manner:

- (1) If the implement is not immersible, it shall be cleaned by wiping it with a clean cloth moistened with a disinfectant that states the solution will

destroy HIV, TB or HBV viruses and approved by the Federal Environmental Protection Agency in accordance with the manufacturer's instructions.

- (2) If it is immersible, it shall be disinfected by immersion, at least once a day and whenever it comes in contact with blood, with a disinfectant that states the solution will destroy HIV, TB or HBV viruses, and approved by the Federal Environmental Protection Agency in accordance with the manufacturer's instructions.
- (3) If the implement is not used immediately after cleaning, it must be stored in a clean, closed cabinet until it is needed.

(b) Furniture, equipment and fixtures must be of a washable material and kept clean and in good repair.

~~(c) Tanning beds must be wiped with a cleaning solution containing at least one part alcohol or household bleach for every ten parts water.~~

Authority G.S. 88-23.

.0018 SYSTEMS OF GRADING BEAUTY ESTABLISHMENTS

(a) The system of grading the sanitary rating of manicurist ~~schools, schools, and shops~~ based on the rules set out in 21 NCAC 14H .0006 to .0017 shall be as follows, setting out areas to be inspected and considered, and the maximum points given for compliance:

- | | |
|------------------------------------------------------------------------------------------------------------|-----|
| (1) clean and well-repaired entrance and reception room | 2; |
| (2) general condition of the entire establishment | 8; |
| (3) water system; hot and cold running water | 2; |
| (4) walls, ceiling and floors: | |
| (A) construction and coverings | 4; |
| (B) clean | 4; |
| (C) good repair | 3; |
| (5) lighting and fresh continuous ventilation (windows included); their adequacy and cleanliness | 7; |
| (6) public toilet: | |
| (A) clean and well ventilated | 5; |
| (B) soap and individual towels furnished | 5; |
| (C) hot and cold running water | 2; |
| (7) appearance of operators and students | 4; |
| (8) linens: | |
| (A) supply of clean towels | 2; |
| (B) soiled towels properly stored in closed containers | 2; |
| (9) waste in closed containers and clean area | 4; |
| (10) equipment cleanliness: | |
| (A) disinfectants selected from those approved by the Federal Environmental Protection Agency | 6; |
| (B) disinfectants used properly | 5; |
| (C) all implements cleaned, disinfected, and properly stored | 12; |
| (D) booths clean | 8; |
| (11) working area: | |
| (A) lavatories clean | 4; |
| (B) jars and containers closed, clean and disinfected | 2; |
| (C) no unnecessary articles in work area | 2; |
| (12) antiseptics and first aid supplies on hand | 1; |
| (13) cosmetics: | |
| (A) clean and sanitary conditions | 2; |
| (B) storage area for supplies clean and in order | 3; |
| (14) no animals or birds kept in establishment | 1. |

(b) The system of grading the sanitary rating of all other beauty establishments, based on the rules set out in 21 NCAC 14H .0006 to .0017 shall be as follows, setting out areas to be inspected and considered, and the maximum points given for compliance:

(1)	clean and well-repaired entrance and reception room	2;
(2)	general condition of the entire establishment	8;
(3)	water system; hot and cold running water	2;
(4)	walls, ceiling and floors:	
	(A) construction and covering	4;
	(B) clean	4;
	(C) good repair	3;
(5)	lighting and ventilation (windows included); their adequacy and cleanliness	3;
(6)	public toilet:	
	(A) clean and well ventilated	5,
	(B) soap and individual towels furnished	5,
	(C) hot and cold running water	2;
(7)	appearance of operators or student	4;
(8)	linens:	
	(A) supply of clean towels	2,
	(B) soiled towels properly stored in closed containers	3,
	(C) clean capes	1;
(9)	waste in closed containers and clean area	4;
(10)	equipment cleanliness:	
	(A) disinfectants selected from those approved by the Federal Environmental Protection Agency	6,
	(B) disinfectants used properly	5,
	(C) all implements cleaned, disinfected, and properly stored	12; 11;
(11)	working area:	
	(A) booths clean	4,
	(B) lavatories clean	4,
	(C) jars and containers clean and disinfected	2,
	(D) no unnecessary articles in work area	2;
(12)	dryers clean and in repair	3;
(13)	styling and shampooing chairs clean and sanitary	4;
(14)	antiseptics and first aid supplies on hand	1;
(15)	cosmetics:	
	(A) clean and sanitary condition	2,
	(B) storage area for supplies clean and in order	3;
(16)	no domestic animals or birds kept in establishment	1.

Authority G.S. 88-23; 88-30.

.0019 NOTICE TO BOARD

~~Each cosmetologist, apprentice cosmetologist, manicurist, cosmetology teacher, and manicurist teacher shall notify the Board within 10 days of each change in the licensee's residence or place of business. Notice shall be given in one of the following ways:~~

- ~~(1) by depositing written notice in the United States mail with the correct address and postage;~~
- ~~(2) by personally delivering written notice to the Board's offices;~~
- ~~(3) by telephone or fax transmission (followed by written notice that must be actually received in the Board's office within 30 days of the change).~~

Authority G.S. 88-23; 88-29.

SUBCHAPTER 14I - OPERATIONS OF

SCHOOLS OF COSMETIC ART

SECTION .0100 - RECORD KEEPING

.0104 WITHDRAWALS

(a) When a student who is enrolled in a cosmetic art school withdraws from such school, whether by reason of transfer to another school, dismissal, suspension, voluntary disenrollment, or for any reason other than graduation, a report thereof shall be forwarded to the Board within ~~20~~ 30 working days of withdrawal.

(b) Such report shall contain the following:

- (1) name of the student,
- (2) Social Security number,
- (3) the last date of attendance,
- (4) the reason for withdrawal (if known),
- (5) the hours completed at the time of withdrawal,

- and
(6) copy of all live model performances completed at the time of withdrawal.

Authority G.S. 88-23; 88-30.

.0105 TRANSFER OF CREDIT

(a) In order that hours may be transferred from one cosmetic art school to another, a student must pass an entrance examination given by the school to which the student is transferring. ~~transferring, covering the portion of work completed in the previous school or schools attended.~~

(b) A cosmetology student must complete at least ~~250~~ 500 hours in the cosmetic art school certifying his or her application for the state board examination.

(c) Upon written petition by the student, the Board, in its discretion, may make an exception to the requirements set forth in Paragraph (b) of this Rule if the student shows that unusual circumstances beyond the student's control prohibited him or her from completing ~~250~~ 500 hours at the school which certifies his or her application.

(d) A student who wishes to transfer from a cosmetology course to a manicuring course may not receive credit for hours received in the cosmetology course.

(e) A student who wishes to transfer from a manicurist course to a cosmetology course may not receive credit for hours received in the manicurist course.

(f) If a student is transferring from another state, it is the student's responsibility to submit certification of hours and performances to the cosmetic art school in which they are enrolled.

Authority G.S. 88-23; 88-30.

.0107 REPORT OF ENROLLMENT

(a) A cosmetic art school shall report cosmetology enrollments to the Board not later than 30 working days after a student enrolls in school. ~~A cosmetic art school shall report manicurist enrollments to the Board not later than 15 working days after a student enrolls in school.~~ If a student's enrollment is not reported within 30 working days for cosmetology and 15 working days for manicurist, the cosmetic art school shall file a copy of the student's daily time records when it reports the student's enrollment.

(b) A student whose enrollment has not been properly reported to the Board will not be accepted for either the cosmetology examination or the manicurist examination, and no hours will be credited.

(c) The North Carolina State Board of Cosmetic Art Examiners' Statement of Purpose for Cosmetic Art Education shall be given to each student at the time of enrollment. An acknowledgment of receipt of this shall be signed by the student and kept by the cosmetic art school with the permanent records of the student.

Authority G.S. 88-23; 88-30.

.0109 SUMMARY OF COSMETIC ART EDUCATION

(a) The manager of each cosmetic art school must compile, from the school's records, ~~a summary of each student's grades; a summary of~~ hours, live model performance completions, date of enrollment, and last date of attendance. The summary examination application must be presented to the student upon graduation or within 30 days after the student's ~~last day of attendance;~~ graduation date.

(b) This summary examination application must be signed by the manager, a teacher, and the student and must have the seal of the school affixed.

(c) The summary examination application must be prepared on a form furnished by the Board and, if presented upon graduation, the cosmetic art school shall mail a copy with the school seal affixed of the summary examination application to the Board at the Board's address.

Authority G.S. 88-23; 88-30.

SECTION .0400 - LICENSURE OF INDIVIDUALS WHO HAVE BEEN CONVICTED OF A FELONY

.0401 APPLICATION/LICENSURE/ INDIVIDUALS WHO HAVE BEEN/ CONVICTED OF FELONY

(a) In addition to other requirements, any applicant who has been convicted of a felony shall supply the following:

- (1) A statement of the facts of the crime accompanied by a certified copy of the indictment (or, in the absence of an indictment, a copy of the "information" that initiated the formal judicial process), the judgment and the commitment order for each felony for which there has been a conviction.
- (2) A listing of each place of residence for the applicant since the date of conviction. The applicant shall give the specific address by city or town, county, and state, and the specific dates for each residency.
- (3) A copy of the applicant's restoration of rights certificate, if applicable.
- (4) At least three letters attesting to the applicant's character from individuals unrelated by blood or marriage. If available, one of these letters must be from someone familiar with the applicant's cosmetology training and experience, one from the applicant's probation or parole officer, and one from the applicant's vocational rehabilitation officer. If letters from persons in these positions are unavailable, the applicant shall submit an explanatory statement as to why they are unavailable.
- (5) The names and addresses of at least three other unrelated persons who have known the applicant for three or more years.
- (6) The name and address of the applicant's current or

last employer.

- (7) A brief summary of the applicant's personal history since conviction including, if applicable, date of release, parole or probation status, employment, and military service.
- (8) Records of any cosmetology or manicurist school disciplinary actions.
- (9) A description of any pending criminal charges with a copy of the indictment or, if there is not yet an indictment, the arrest warrant for each pending charge.
- (10) Any other information which in the opinion of the applicant would be useful or pertinent to the consideration by the Board of the applicant's request.

(b) If a conviction was for an offense involving habitual drug or alcohol abuse, the applicant shall also provide verifiable evidence showing that he or she is drug/alcohol free. Examples of evidence which will be considered are:

- (1) enrollment in an on-going licensed treatment program,
- (2) drug analysis test results, and
- (3) certification of completion of a licensed treatment program.

(c) ~~The Board will not issue any license to an applicant for licensure who has been convicted of a felony and is still incarcerated at the time of the application.~~

(c) ~~(d)~~ No applicant who has been convicted of a felony can be scheduled for an examination before the Board can review the application.

Authority G.S. 88-23; 88-26(1).

SUBCHAPTER 14J - COSMETOLOGY CURRICULUM

SECTION .0100 - BEGINNERS' DEPARTMENT

.0102 UNIFORM

All students must wear a clean white washable uniform or white professional attire and clean, solid white shoes while in a cosmetology school.

Authority G.S. 88-23.

.0103 TIME REQUIREMENTS ACCORDING TO HOURS

(a) The maximum time a student ~~is allowed to stay~~ can earn in a cosmetology school in any one day is eight clock hours. The maximum time a student ~~is allowed to stay~~ can earn in a cosmetology school in any one week is 40 clock hours.

(b) Hours earned on one day cannot be credited to another day.

(c) Each student must complete 1200 hours in a cosmetology school before applying to the Board for the cosmetologist's examination, except those students enrolled

for the manicurist course only.

(d) Each student must spend 300 hours in the beginner department before entering the advanced department and may not work on members of the public during this 300 ~~hours~~ hours except shampoo and scalp manipulations.

(e) Hours earned in the beginner department must be devoted to scientific study and mannequin practice as outlined in 21 NCAC 14J .0104 and .0105.

(f) Manicuring practice in the beginner department must be done during the first 300 hours of instruction and shall be done on the students enrolled in the cosmetology school.

Authority G.S. 88-23.

.0104 SCIENTIFIC STUDY

~~The course of scientific study as prescribed for beginning cosmetology students shall be as follows:~~

- (1) ~~N.C. law as it pertains to cosmetology--5 hours;~~
- (2) ~~sanitation, sterilization and first aid--10 hours;~~
- (3) ~~bacteriology--5 hours;~~
- (4) ~~anatomy--5 hours;~~
- (5) ~~grooming and personal hygiene--10 hours;~~
- (6) ~~skin, scalp, hair, nails and their common disorders and diseases--10 hours;~~
- (7) ~~chemistry pertaining to cosmetology--10 hours;~~
- (8) ~~professional ethics--10 hours; and~~
- (9) ~~manicuring--5 hours.~~

Authority G.S. 88-23.

.0105 MANNEQUIN PRACTICE

~~Practice of cosmetology techniques on mannequins for beginning students shall be as follows:~~

- (1) ~~scalp treatments--5 hours;~~
- (2) ~~shampooing and rinsing--5 hours;~~
- (3) ~~hair dyeing and bleaching--30 hours;~~
- (4) ~~hairdressing and combing--50 hours;~~
- (5) ~~finger waving, pincurling and roller placement--50 hours;~~
- (6) ~~hair cutting--20 hours;~~
- (7) ~~permanent waving, marcelling, croquignole or hair pressing--30 hours;~~
- (8) ~~frosting and streaking--10 hours;~~
- (9) ~~wigs, care and styling--10 hours; and~~
- (10) ~~marcel curling iron and blow dryer--20 hours.~~

Authority G.S. 88-23.

SECTION .0200 - ADVANCED DEPARTMENT

.0202 PRACTICAL WORK FOR ADVANCED STUDENTS

(a) The hours earned in the advanced department must be devoted to study and live model performance completions.

(b) Work in this department may be done on the public. Students with less than 300 hours credit must not work in this department and are not allowed to work on the public.

(c) A list of names of students eligible for work on the public must be arranged alphabetically and patron work must be assigned to each student in turn.

(d) Appointment books cannot be used nor requests granted for any one student.

(c) (e) All work done by students on the public must be checked by the cosmetology teacher as the work is being performed and after the service has been completed so that the teacher may point out errors to the student in order that they may be corrected.

Authority G.S. 88-23.

.0204 COURSE WORK REQUIREMENT

The course work done by advanced students shall be as follows:

- (1) lectures on scientific study--10 hours;
- (2) chemistry, as necessary to the practice of cosmetology--10 hours;
- (3) anatomy--10 hours;
- (4) bacteriology--10 hours;
- (5) skin, scalp, hair, nails and their common disorders--20 hours;
- (6) grooming and personal hygiene--5 hours;
- (7) pin curling, finger waving, rollers and combing--20 hours;
- (8) electrical marcel curling irons and blow dryers--20 hours;
- (9) permanent waving, marcelling, croquignole or hair relaxing--35 hours;
- (10) hair coloring and bleaching--25 hours;
- (11) salesmanship--5 hours;
- (12) manicuring--10 hours;
- (13) cosmetics--10 hours;
- (14) scalp treatments--10 hours;
- (15) roller placement and pin curl placement and directional waving for design--10 hours;
- (16) wig care and styling--2 hours;
- (17) frosting and streaking--10 hours;
- (18) professional ethics--10 hours; and
- (19) sanitation and sterilization--20 hours.

Authority G.S. 88-23;

.0205 LIVE MODEL PERFORMANCE REQUIREMENTS

(a) The following live model performance completions shall be done by each student in the advanced department before the student is eligible to take the cosmetologist's examination. Sharing of performance completions shall not be allowed. Credit for a performance shall only be given to one student. These performances shall only be done on live models:

- (1) hair and scalp treatments--30 hours -- 15

.0207 LIVE MODEL/MANNEQUIN PERFORMANCE REQUIREMENTS

(a) The following minimum live model/mannequin performance completions shall be done by each student in the advanced

performance completions:

- (2) hairstyling and shampooing--194 hours -- 150 performance completions;
- (3) tinting and bleaching--50 hours -- 6 performance completions;
- (4) frosting and streaking--20 hours -- 4 performance completions;
- (5) temporary rinses--10 hours -- 20 performance completions;
- (6) semi permanent rinses--5 hours -- 4 performance completions;
- (7) cold permanent waving--150 hours -- 20 performance completions;
- (8) marcelling, croquignole and permanent relaxing--35 hours--15 performances completions;
- (9) facials, massages, packs, eyebrow arching--10 hours -- 10 performance completions;
- (10) lash and brow tinting--10 hours -- 4 performance completions;
- (11) manicuring and hand and arm massage--20 hours -- 20 performance completions;
- (12) hair shaping--100 hours -- 25 performance completions;
- (13) wig care and styling--4 hours -- 2 performance completions; and
- (14) marcel curling iron and blow dryers--10 hours--10 performances completions.

(b) Certification of these live model performance completions shall be required along with the application for the examination.

Authority G.S. 88-23.

.0206 EQUIPMENT IN ADVANCED DEPARTMENT

The advanced department must be equipped with the following minimum equipment in the department:

- (1) 20 to 29 stations, two four manicure tables and stools, 30 or more stations, 4 manicure table and stools,
- (2) 20 to 29 stations, 10 eighteen dryers and chairs, 30 or more stations, 15 dryers and chairs,
- (3) eight shampoo bowls and chairs,
- (4) ~~three heating caps or one conditioning machine;~~
- (4) ~~(5)thirty~~ 20 dressing tables and styling chairs,
- (5) ~~(6)three~~ 20 to 29 stations, one facial chairs, 30 or more stations, two facial chairs,
- (6) ~~(7)three~~ marcel heaters,
- (7) ~~(8)three~~ marcel irons, and irons.
- (9) ~~sufficient cold wave rods for each student enrolled in the department.~~

Authority G.S. 88-23.

PROPOSED RULES

department before the student is eligible to take the cosmetologist's examination. Sharing of performance completions shall not be allowed. Credit for a performance shall only be given to one student.

	1200		1500	
	Live Model	Maniq.	Live Model	Maniq.
(1) scalp/hair treatments w/massage	15		15	
(2) roller sets/styles	50	25	75	25
(3) fullhead fingerwave/style	5	OR 5	5	OR 5
(4) fullhead pincurl/style	5	OR 5	5	OR 5
(5) blowdry/marcel style	50	25	75	25
(6) blowdry/style with brush	5	OR 5	10	OR 10
(7) thermal press & curl	3	OR 3	5	OR 5
(8) artificial hair	2	OR 2	2	OR 2
(9) haircuts	25	25	50	25
(10) chemical reformation permanent waving & relaxers	20	5	30	5
(11) temporary color	5			5
(12) semi perm color	5	5	15	5
(13) permanent color	10	5	15	5
(14) hair lightening/hilighting	5	OR 5	10	OR 10
(15) lash & brow tinting	2		4	
(16) manicure with arm & hand massage	15		15	
(17) pedicure with leg & foot massage	2		2	
(18) artificial nails (sets)	2	OR 2	2	2
(19) facials with massage/makeup	5		10	
(20) hair removal	5			5

(b) Certification of these live model/mannequin performance completions shall be required along with the application for the examination.

(c) A live model maybe substituted with a mannequin for any mannequin service.

Authority G.S. 88-23.

SECTION .0300 - COMBINED STUDIES

.0303 STUDENTS' PERSONAL SUPPLIES

Each student shall have the following minimum supplies:

- (1) manicure supplies and implements for a complete manicure;
- (2) six combs;
- (3) six brushes;
- (4) sufficient pin curl clips;
- (5) sufficient smooth rollers;
- (6) one marcel ~~comb~~; comb, hard rubber;
- (7) one electric curling ~~iron~~; iron, marcel;
- (8) one razor;
- (9) two scissors, one tapered and one straight;
- (10) one eyebrow tweezer;
- (11) one tint comb;
- (12) one blow dryer; and
- (13) one copy of "An Act to Regulate the Practice of Cosmetic Art in the State of North Carolina", and a copy of the course curriculum requirements, both of which shall be at no charge to the student for the first copy.

Authority G.S. 88-23.

.0306 COURSE WORK REQUIREMENTS FOR BEGINNERS AND ADVANCED

The course work done by beginners and advanced students shall be as follows:

- (1) orientation.
- (2) your professional image.
- (3) sanitation and bacteriology.
- (4) Properties of the scalp and hair.
- (5) draping, shampooing, rinses.
- (6) hair shaping.
- (7) hair and hairstyling.
- (8) thermal pressing and styling.
- (9) Permanent waving and chemical relaxing.
- (10) hair coloring.
- (11) artificial hair.
- (12) nails and manicuring.
- (13) Facials, makeup, and skin care.
- (14) anatomy.
- (15) electricity.
- (16) chemistry.
- (17) salon business.

Authority G.S. 88-23.

.0307 TESTS

Written tests and examinations shall be given in all subjects.

Authority G.S. 88-23.

SECTION .0400 - COURSE OF STUDY

.0401 CURRICULUM REQUIRED

The course of study or curriculum described in 21 NCAC 14J .0402 to 14J .0404 is required by the Board, and all students shall be given a complete course in the same.

Authority G.S. 88-23;

.0402 PRACTICAL ASPECTS OF STUDY

Practical aspects of study shall be as follows:

- (1) ~~the systematic massaging of the scalp, face, neck, shoulders and hands;~~
- (2) ~~the use of cosmetic preparations and antiseptics;~~
- (3) ~~manicuring;~~
- (4) ~~cutting hair;~~
- (5) ~~dyeing hair, eyebrows and lashes;~~
- (6) ~~cleansing of scalp and hair;~~
- (7) ~~arranging, dressing, and waving hair.~~

Authority G.S. 88-23.

.0403 RELATIVE SUBJECTS

(a) Relative subjects shall be taught as necessary in, or as applied to, the practice of cosmetology.

(b) Relative subjects of study shall be as follows:

- (1) ~~physiology;~~
- (2) ~~dermatology;~~
- (3) ~~bacteriology;~~
- (4) ~~anatomy of the head, neck, shoulders, hands and feet;~~
- (5) ~~chemistry of cosmetology;~~
- (6) ~~care of the skin;~~
- (7) ~~sanitation;~~
- (8) ~~myology of the head, neck, shoulders, hands and feet;~~
- (9) ~~angiology;~~
- (10) ~~neurology;~~
- (11) ~~osteology;~~
- (12) ~~ethics and shop management;~~
- (13) ~~diseases of the scalp and skin;~~
- (14) ~~stimulation—mechanical, chemical, thermal, nerve impulses;~~
- (15) ~~the use of electrical instruments, dryers, permanent waving machines, vibrators, therapeutic lamps, and steamers.~~

Authority G.S. 88-23.

.0404 TESTS

Written tests and examinations shall be given in all subjects.

Authority G.S. 88-23.

SECTION .0500 - CREDIT FOR COSMETOLOGY

STUDY OUTSIDE OF NORTH CAROLINA

.0501 APPROVAL OF CREDIT FOR COSMETOLOGY INSTRUCTION/ ANOTHER STATE

(a) ~~A cosmetology student~~ An applicant may receive credit for instruction taken in another state if the conditions set forth in this Rule are met or by approval of the Board.

(b) The ~~cosmetology student's~~ applicant's record shall be certified by the state agency or department that issues licenses to practice in the cosmetic arts. If this agency or department does not maintain any student records or if the state does not give license to practice in the cosmetic arts, then the records may be certified by any state department or state agency that does maintain such records and is willing to certify their accuracy. If no state department or board will certify the accuracy of the student's records, then this Board shall review the student's records on a case-by-case basis.

(c) If the requirements of Paragraph (b) of this Rule are met, then the Board will give credit for hours of course work and for mannequin and live model performances to the extent certified, up to the amount of credit that the student would receive for instruction in a school licensed by the Board. If the certification includes only total hours and does not specify what performances have been completed, this Board will not give any credit for performances completed as part of the out-of-state instruction.

Authority G.S. 88-12; 88-19.

SUBCHAPTER 14K - MANICURIST CURRICULUM

.0001 UNIFORMS

All students in training as manicurists shall wear a clean white washable uniform or white professional attire, nametag identifying academic status, and clean, solid white shoes.

Authority G.S. 88-8; 88-23.

.0003 EQUIPMENT AND INSTRUMENTS

(a) A manicurist school shall be equipped with the following minimum equipment:

- (1) two handwashing sinks, separate from restrooms, located in or adjacent to the clinic area,
- (2) adequate chairs for patrons in the clinic area,
- (3) 10 work tables with adequate light in the clinic area for every 20 students,
- (4) pedicure chair and basin,
- (5) one wet and one dry sterilizer for each work table,
- (6) a covered waste container ~~for each work table, and~~ located in the clinic area, and
- (7) a covered container for soiled or disposable towels ~~for each work table; located in the clinic area, and~~

(b) Each student shall be supplied with:

- (1) a manicurist bowl,
- (2) nail brushes,

- (3) a tray for manicuring supplies,
- (4) one ~~set of~~ mannequin hands,
- (5) a manicuring kit containing proper implements for manicuring and pedicuring, and
- (6) implements for artificial nails, nail wraps and tipping.

Authority G.S. 88-23; 88-30.

SUBCHAPTER 14L - COSMETIC ART TEACHERS

SECTION .0100 - TEACHER QUALIFICATIONS AND EXAMINATIONS

.0101 QUALIFICATIONS - COSMETOLOGIST TEACHERS

- (a) To be a cosmetology teacher, an applicant must:
 - (1) have a high school diploma or a high school graduation equivalency ~~certificate; certificate and a current North Carolina cosmetology license;~~
 - (2) have either:
 - (A) practiced cosmetology in a cosmetic art shop for a period equivalent to five years of full-time work; or
 - (B) completed an 800-hour teacher training course in cosmetology set forth in Rule 14L .0216(a) in an approved cosmetic art ~~school; and school and practiced cosmetology in a cosmetic art shop for a period equivalent to six months of full-time work; and~~
 - (3) pass the cosmetology teacher's examination.

~~(b) The required six months' experience may be gained while a cosmetologist is enrolled in a teacher trainee course, but it must consist of experience in a cosmetic art shop.~~

~~(b) (c)~~ This Rule applies to applicants who submit an application to be a cosmetology teacher on or after August 1, 1989, except those who were enrolled in a teacher training course on that date. The rules in effect until August 1, 1989 apply to applicants who were enrolled in a teacher training course on that date.

Authority G.S. 88-23.

.0105 QUALIFICATIONS - MANICURIST TEACHERS

- (a) To be a manicurist teacher, an applicant must:
 - (1) have a high school diploma or a high school graduation equivalency certificate;
 - (2) be a registered manicurist or cosmetologist in this State;
 - (3) have either:
 - (A) practiced manicuring in a cosmetic art shop for a period equivalent to five years of full-time work; or
 - (B) completed a 320-hour teacher training course in manicuring ~~as set forth in Rule 14L~~

~~.0202(b) in an approved cosmetic art school; and school and practiced manicuring in a cosmetic art shop for a period equivalent to six months of full-time work; and~~

- (4) pass the manicurist teacher's examination.

~~(b) The required six months' experience may be gained while a manicurist is enrolled in a teacher trainee course, but it must consist of experience in a cosmetic art shop.~~

~~(b) (c)~~ Applicants who are registered manicurists in good standing in this State and who were regularly employed in a school in this State as a teacher of manicuring before January 1, 1991, may substitute the equivalent of three years of full-time teaching in lieu of the requirements of Paragraph (a)(3) of this Rule if they apply for a license as a manicurist teacher on or before January 1, 1993.

Authority G.S. 88-23.

.0108 TEACHER TRAINEE NOTEBOOK

~~Two lesson plans must be written from a standard textbook at the examination site.~~

Authority G.S. 88-23.

SECTION .0200 - TEACHER PROGRAM AND CURRICULUM

.0214 FEE

An applicant for a cosmetic art teacher's license shall pay a fee of ten dollars (\$10.00) as set by the Board, according to state law for the license. The Board shall not issue a license until this fee is paid.

Authority G.S. 88-21; 88-23.

SUBCHAPTER 14N - EXAMINATIONS

SECTION .0100 - GENERAL PROVISIONS

.0102 INITIAL APPLICATIONS AND FEES

(a) All applications for examination must be on a form provided by the Board.

(b) If ~~an interpreter or other~~ special arrangements are required, the initial application to take an examination must include, as appropriate:

- ~~(1) An application for an interpreter pursuant to 21 NCAC 14N .0106, or~~

- ~~(1) (2)~~ An application for special arrangements pursuant to 21 NCAC 14N .0107, or

- ~~(2) (3)~~ Both The applications described in Subparagraphs (a)(1) and (2) Subparagraph (b)(1) of this Rule.

(c) The application must be filed with the Board and accompanied by the applicable examination fee. If the application is not signed or is inadequately completed, or the proper supporting documentation is not enclosed, or the applicable fee is not paid, the application shall be deemed

incomplete and returned.

(d) If the examination fee is paid by check or money order, the check or money order shall be made payable to the "Board of Cosmetic Art Examiners".

(e) If at all possible, the Board will schedule candidates whose properly completed applications are received by the 10th of one month to take the examination during the following month. The Board will assign the candidate to the location nearest to the candidate that is available for that month.

~~(f) Candidates for licensure as an apprentice cosmetologist shall take the cosmetologist examination.~~

Authority G.S. 88-10(2); 88-12(2); 88-16; 88-17; 88-21(a)(16); 88-23; 88-30(4).

.0103 GENERAL EXAMINATION INSTRUCTIONS

(a) All candidates scheduled for an examination are required to bring:

- (1) their social security number,
- (2) a form of identification with a current picture,
- (3) a kit containing all supplies necessary to perform all services required by the examination, and
- (4) No. 2 pencils, pencil, and
- (5) the examination notification.

(b) Candidates for the cosmetologist examination shall bring ~~either a live model two~~ or mannequin that conforms with the applicable requirements set forth in 21 NCAC 14N .0104 and .0105.

(c) Candidates for the cosmetologist teacher and manicurist teacher examinations examination shall bring ~~either four live models or four mannequins that conform with the applicable requirements set forth in 21 NCAC 14N .0104 and .0105; however, each candidate must provide a live model for the manicurist portion of the examination. These live models or mannequins shall be suitable for demonstrating the full range of services required by the cosmetology curriculum; a kit containing the supplied necessary to perform all services required by the examination.~~

~~(d) Candidates for the manicurist or manicurist teacher examination shall bring a live model.~~

~~(d) (e)~~Candidates will not be accepted after roll call.

~~(e) (f)~~No candidates will be allowed to bring books, electronic devices, calculators, papers, or reference materials of any kind into the testing room, except as provided in Paragraph ~~(g) (f)~~ of this Rule.

~~(f) (g)~~Cosmetology teacher and manicurist teacher candidates may use visual aids, prepared in advance, during the practical examination. During the lesson planning part of the examination, only a text book brought by that candidate may be used.

Authority G.S. 88-10(2); 88-12(2); 88-16; 88-17; 88-21(a)(16); 88-23; 88-30(4).

.0104 LIVE MODEL REQUIREMENTS

(a) If, pursuant to 21 NCAC 14N .0103(b) or (c), a cosmetology teacher candidate has chosen to bring a live model for the examination, the model must:

- (1) be at least 18 years old,
- (2) submit to all cosmetic art services required by the examination, and
- (3) agree to a haircut of at least one to one and one-half inches during the examination. Hair must be of sufficient length to perform requirements after cutting. Prior to the examination, the model's hair must have already been shampooed, set and dried.

(b) A model brought by a candidate for the manicurist or manicurist teacher examination, pursuant to 21 NCAC 14N .0103(d) shall:

- (1) be at least 18 years old,
- (2) submit to all cosmetic art services required by the examination.

(c) Cosmetic art school or shop owners, registered or apprentice cosmetologists, manicurists, cosmetology or manicurist teachers, salon operators, and present or former cosmetology or manicurist students, except as provided in Rule .0105(c) of this Section, may not sit as models.

(d) No model may sit for more than one candidate at one exam.

Authority G.S. 88-10(2); 88-12(2); 88-16; 88-17; 88-21(a)(16); 88-23; 88-30(4).

.0105 MANNEQUIN REQUIREMENTS

(a) If, pursuant to 21 NCAC 14N .0103(b) and (c), a candidate has chosen to bring a mannequin for the examination, the mannequin's hair shall be of sufficient length for the candidate to perform at least a one to one and one-half inch haircut. Hair shall be of sufficient length to perform requirements after cutting. The candidate shall bring a holder for the mannequin.

(b) Prior to the examination, the mannequin's hair shall have already been shampooed, set and dried.

~~(c) When a manicure is required during the cosmetologist examination, the candidate who has brought a mannequin rather than a model shall perform the manicure on another candidate.~~

~~(d) Except as provided in Paragraph (c) of this Rule, all required services shall be done on one mannequin.~~

Authority G.S. 88-10(2); 88-12(2); 88-16; 88-17; 88-21(a)(16); 88-23; 88-30(4).

.0107 SPECIAL ARRANGEMENTS FOR DISABLED

(a) If a candidate has a disability which will require special arrangements to take an examination, the candidate shall request such arrangements with his or her application for examination. The request for special arrangements shall be in writing and shall set out in sufficient detail what special arrangements are needed. The Board shall make reasonable accommodations for candidates requesting assistance under

this Section, including any assistance required by applicable provisions of the Federal Americans with Disabilities Act.

(b) If reading assistance, or a reader is required, the application for special arrangements shall also be accompanied by a letter from the candidate's cosmetic art school which documents the assistance the candidate required during classes there. ~~If the candidate is unable to obtain a letter from a cosmetic art school, then~~ In addition, the candidate shall submit a letter from a professional qualified to diagnose and document the disability.

~~(c) In all other cases, the application for special arrangements shall be accompanied by a letter from a professional qualified to diagnose and document the disability.~~

(c) ~~(d)~~ The candidate shall provide any special equipment or readers. A reader shall be 18 years of age or older.

(d) ~~(e)~~ A reader shall not be:

- (1) currently or formerly licensed by this state or any state, nor have received or is currently receiving any training, in any branch of cosmetic art;
- (2) a current or former owner or employee of any beauty establishment;
- (3) simultaneously a model for any candidate taking the examination.

(e) ~~(f)~~ The application for permission to use a reader shall be made on a form provided by the Board.

Authority G.S. 88-10(2); 88-12(2); 88-16; 88-17; 88-21(a)(16); 88-23; 88-30(4).

.0108 FAILURE TO APPEAR FOR EXAMINATION

(a) If a candidate fails to appear for the scheduled examination, the examination fee shall not be refunded.

(b) Notwithstanding Paragraph (a) of this Rule, the examination fee may be refunded to a candidate who has failed to appear for the examination if verification of good cause for failing to appear is mailed to the Board within fifteen days of the examination date.

(c) Determination of "good cause" under this Rule is within the Board's discretion.

(d) "Good cause" includes events beyond the control of the candidate that prohibited him or her from attending the examination. Examples of good cause are serious personal illness or accident, and death or serious illness in the immediate family.

(e) Acceptable verification of good cause is any written communication from a person not related to the candidate that would tend to support the candidate's stated reason for failing to attend the examination. Some examples of acceptable verifications would include a statement from an attending

physician, an official accident report or an obituary notice.

~~(f) The license fee shall be credited to the candidate's account unless candidate notifies the Board in writing that he or she does not wish to re-apply. In that case, the license fee shall be refunded.~~

Authority G.S. 88-10(2); 88-12(2); 88-16; 88-17; 88-21; 88-23; 88-30(4).

.0113 RE-EXAMINATION

(a) If, upon application for re-examination, the applicant has taken and passed one section of an examination, he or she shall apply for re-examination only on the section of the examination which he or she did not pass.

(b) Applicants for re-examination must apply for re-examination in writing and pay the appropriate examination fee.

(c) Notwithstanding any other provision of these Rules, pursuant to G.S. 88-16(4), a cosmetology candidate or other candidate who has failed either section of the examination five times, is required to complete an additional 200 hours of study at an approved cosmetic art school before another application for re-examination may be accepted by the Board.

(d) Any candidate for the cosmetology teacher examination, or manicurist teacher examination, who fails ~~the practical portion of~~ the examination twice, must may request an examination review and complete no less than 200 hours in a teacher training course designed to address the candidate's deficiencies before taking the examination again.

(e) Upon written request by any candidate, the Board shall release a summary of the results of each category of the practical section of the most recent examination to the school in which the candidate is enrolled for the additional study, pursuant to G.S. 88-16(4) or Paragraph (d) of this Rule.

(f) The school in which the student has enrolled pursuant to G.S. 88-16(4) shall design a course of study for that student in order to correct the student's deficiencies. The course of study must be submitted to the Board for approval.

(g) A candidate for licensure as an apprentice cosmetologist who

- (1) passes the examination with a score of 75 percent or more on both sections; and
- (2) subsequently completes an additional 300 hours within one year of the examination date may be licensed as a cosmetologist under G.S. 88-12 without retaking the examination.

Authority G.S. 88-10(2); 88-12(2); 88-16; 88-17; 88-21(a)(16); 88-23; 88-30(4).

The Codifier of Rules has entered the following temporary rule(s) in the North Carolina Administrative Code. Pursuant to G.S. 150B-21.1(e), publication of a temporary rule in the North Carolina Register serves as a notice of rule-making proceedings unless this notice has been previously published by the agency.

TITLE 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

Rule-making Agency: *Social Services Commission*

Rule Citation: *10 NCAC 41A .0007; 41F .0707, .0813*

Effective Date: *October 28, 1997*

Findings Reviewed by Beecher R. Gray: *Approved*

Authority for the rule-making: *G.S. 131D-10.2-3 and .6*

Reason for Proposed Action: *With the passage of S.L. 1997-110, 41A .0007 needs to be amended to incorporate the 10 day time limit in which to grant or deny a waiver request of the licensure rules. With the passage of S.L. 1997-140, 41F .0707 and .0813 need to be amended to ensure that any person 18 years or older residing in a family foster home is required to have fingerprint based criminal history checks. These Rules are being proposed for temporary amendment to further ensure the protection of thousands of children in family foster homes and residential child care facilities throughout the State and to comply with the law.*

Comment Procedures: *Anyone wishing to comment should contact Sharnese Ransome, APA Coordinator, Social Services Commission, NC Division of Social Services, 325 N. Salisbury St., Raleigh, NC 27603, phone (919) 733-3055.*

CHAPTER 41 - CHILDREN'S SERVICES

**SUBCHAPTER 41A - IDENTIFYING INFORMATION:
MANUALS AND FORMS: COVERAGE**

**.0007 WAIVER OF LICENSING RULES AND
APPEALS PROCEDURES**

(a) The Department of Health and Human Resources Services may allow a waiver to a licensing rule or rules to persons subject to licensure pursuant to G.S. 131D, Article 1A in accordance with the following criteria:

- (1) persons seeking a waiver must submit a written request on a form developed by the Department to the Department showing that another way of meeting a rule maintains the health, safety, and well-being of individuals being served at or above the level required by the rule;
- (2) no waiver shall be allowed by the Department to any rule based on a standard adopted by the Building Code Council and subject to the general supervision and enforcement of the Commissioner of Insurance;

- (3) no waiver shall be allowed by the Department to any rule governing fire safety;
- (4) no waiver shall be allowed by the Department to any rule based upon a standard adopted by the Health Services Commission;
- (5) the waiver when allowed remains in effect for the term of the license and may be renewed if the Department determines that the health, safety and well-being of individuals being served are not ~~threatened~~ threatened;

(6) upon receipt of the waiver request form, a decision to grant or deny the waiver will be made by the Department within ten business days of its receipt.

(b) The Department of Health and Human Resources Services may deny, suspend or revoke a license at any time for failure to comply with licensing rules adopted pursuant to G. S. 131D, Article 1A or for operating in a manner that threatens the health, safety or well being of individuals in the facility.

- (1) Denial, suspension, or revocation of licensure by the Department of Health and Human Resources Services shall be effected by mailing to the applicant or license holder, by certified mail, a notice setting forth the particular reasons for such action. Such denial, suspension, or revocation shall become effective 60 days after the receipt of the notice absent a notice as specified in (2) of the Rule.
- (2) At any time prior to the effective date of the denial, suspension, or revocation of a license the applicant or license holder may petition for a determination of his legal rights, privileges, or duties. All petitions must be in writing and contain a statement of the facts prompting the request sufficient to allow for appropriate processing by the Department of Health and Human Resources Services.
- (3) The petition for a hearing shall be filed with the Office of Administrative Hearings in accordance with G. S. 150B-23 and 26 NCAC 3 .0003. In accordance with G. S. 1A-1, Rule 4 (j) 4, the petition shall be served on a registered agent for service of process for the Department of Health and Human Resources Services. A list of registered agents may be obtained from the Office of ~~Legislative and~~ Legal Affairs.
- (4) Procedures for the processing of an appeal of an adverse licensing action and for the final decision are specified in G. S. 150B, Article 3 and 10 NCAC 1B .0200.

History Note: Authority G.S. 131D, Article 1A; 143B-153; 150B-11; 150B-22; 150B -23;

*Eff. April 1, 1984;
ARRC Objection March 16, 1988;
Amended Eff. May 1, 1990; August 1, 1988;
Temporary Amendment Eff. October 28, 1997.*

**SUBCHAPTER 41F - LICENSING OF FAMILY
FOSTER HOMES**

SECTION .0700 - STANDARDS FOR LICENSING

.0707 CRIMINAL HISTORIES

An applicant shall not be eligible for licensure if the applicant applicant, or any member of the applicant's household 18 years of age or older, refuses to consent to any criminal history check required by G.S. 131D, Art. 1A or if the Division of Social Services determines that the applicant applicant, or any member of the applicant's household 18 years of age or older is unfit, based on the criminal history, to have responsibility for the safety and well-being of children.

*History Note: Authority G.S. 131D-10.5; 143B-153; 131D-10.3;
Temporary Adoption Eff. January 1, 1996;
Amended Eff. April 1, 1997;
Temporary Amendment Eff. October 28, 1997.*

**SECTION .0800 - LICENSING
REGULATIONS AND PROCEDURES**

.0813 CRIMINAL HISTORY CHECKS

The supervising agency shall carry out the following for all foster parents applying for relicensure of a family foster home and home, new foster parent applicants: applicants and any member of the foster parents' or prospective foster parents' household 18 years of age or older:

- (1) furnish the written notice as required by G.S. 131D-10.3A(e);
- (2) obtain a signed consent form for a criminal history check and submit the signed consent form to the Division of Social Services;
- (3) obtain two sets of fingerprints on SBI identification cards and forward both sets of fingerprints to the Division of Social Services. Once an individual's fingerprints have been submitted to the Division of Social Services, additional fingerprints shall not be required; and,
- (4) conduct a local criminal history check through accessing the Administrative Office of the Courts and the Department of Corrections ~~Inmate/Probation Inquiry Systems~~ Offender Population Unified System and submit the results of the criminal history checks to the Division of Social Services on the application form.

History Note: Authority G.S. 131D-10.5; 143B-153; 131D-10.3;

*Temporary Adoption Eff. January 1, 1996;
Amended Eff. April 1, 1997;
Temporary Amendment Eff. October 28, 1997.*

Rule-making Agency: *Social Services Commission*

Rule Citation: *10 NCAC 47A .0502; 47B .0102, .0303 - .0305, .0403*

Effective Date: *October 28, 1997*

Findings Reviewed by Beecher R. Gray: *Approved*

Authority for the rule-making: *G.S. 108A-41(b)*

Reason for Proposed Action: *With the passage of S.L. 1997-210, an individual must be a NC resident for at least 90 days immediately prior to receipt of Special Assistance, or meet one of two exceptions allowed. Prior to this change, an individual need only be a NC resident, with no time restrictions, in order to meet the residency requirement for receipt of Special Assistance. These Rules are being proposed for temporary amendment so as to comply with the new law.*

Comment Procedures: *Anyone wishing to comment should contact Sharnese Ransome, APA Coordinator, Social Services Commission, NC Division of Social Services, 325 N. Salisbury St., Raleigh, NC 27603, phone (919) 733-3055.*

**CHAPTER 47 - STATE/COUNTY SPECIAL
ASSISTANCE**

**SUBCHAPTER 47A - GENERAL PROGRAM
ADMINISTRATION**

SECTION .0500 - PAYMENT PROCEDURES

.0502 PAYMENT AUTHORIZATION

- (a) Special assistance shall not be authorized prior to the month of application.
- (b) If SSI approval is not pending, and the worker disposes of an application after the month of application, special assistance may be authorized as much as two months prior to the month of disposition.
- (c) If SSI approval has been pending, special assistance may be authorized retroactive to the month SSI was approved, if the applicant was in domiciliary care and had applied for special assistance that month.
- (d) If an applicant enters domiciliary ~~care~~ care, or meets the North Carolina residency requirement for Special Assistance, after the first day of the month, he shall be eligible only for a partial payment for that month from the date of entry entry, or the date he meets the residency requirement, to the end of the month. The payment shall be

computed without considering income, disregard, deductions or exemption.

(e) If a recipient's level of care is determined to no longer be domiciliary and a bed is not readily available under the Medicaid Program, special assistance shall continue until a bed at the appropriate level of care is located.

History Note: Authority G.S. 108A-41(b); 143B-153; Eff. January 1, 1983; Amended Eff. July 1, 1988; Temporary Amendment Eff. October 28, 1997.

SUBCHAPTER 47B - ELIGIBILITY DETERMINATION

SECTION .0100 - APPLICATION PROCESS

.0102 INITIAL INTERVIEW

The applicant shall be allowed to have any person(s) of his choice participate in the interview. The eligibility specialist shall explain the eligibility requirements in easily understandable terms. The applicant shall be informed of the following:

- (1) He must provide the name of collaterals, such as landlords, employers, and others with knowledge of his situation.
- (2) It is the county's responsibility to use collateral sources to substantiate or verify information necessary to establish ~~eligibility~~ eligibility, except that, for an applicant moving to North Carolina to join a close relative (parent, grandparent, brother, sister, spouse, or child), the close relative must provide verification of his or her state residency to the county department of social services. Collateral sources of information include knowledgeable individuals, business organizations, public records, and documentary evidence. If the applicant does not wish necessary collateral contacts to be made, he can withdraw the application. If he denies permission to contact necessary collaterals, the application shall be rejected due to failure to cooperate in establishing eligibility.
- (3) A worker will visit his home or the domiciliary care facility. The purpose of the visit is to verify eligibility requirements.
- (4) The applicant has the right to:
 - (a) Receive assistance if found eligible;
 - (b) Be protected against discrimination on the ground of race, creed, or national origin by Title VI of the Civil Rights Act of 1964; He may appeal such discrimination;
 - (c) Spend his assistance payment as he wishes, but it must be in his best interest and that of his family; A substitute payee may be appointed for those individuals who cannot manage the payment;
 - (d) Receive his monthly check in advance until

the payment is terminated by appropriate action:

- (e) Have any information given to the agency kept in confidence;
 - (f) Appeal, if his assistance will be denied, changed or terminated; his payment is incorrect based on the county's interpretation of state regulations; or his request for a change in the amount of assistance was delayed beyond 30 days or rejected;
 - (g) Reapply at any time, if found ineligible;
 - (h) Withdraw from the assistance program at any time.
- (5) The applicant's responsibilities. He must:
- (a) Provide the county department, state and federal officials the necessary sources from which the county department can locate and obtain information needed to determine eligibility.
 - (b) Report to the county department of social services any change in situation that may affect eligibility for a check within five days after it happens. The meaning of fraud shall be explained. The applicant shall be informed that he may be suspected of fraud if he fails to report a change in situation and that in such situations, he may have to repay assistance received in error and that he may also be tried by the courts for fraud.
 - (c) Inform the county department of social services of any person or organization against whom he has a right to recovery. When he accepts medical assistance (included with all SA except CD), the applicant assigns his rights to third party insurance benefits to the state. He shall be informed that it is a misdemeanor to fail to disclose the identity of any person or organization against whom he has a right to recovery.
 - (d) Immediately report to the county department the receipt of a check which he knows to be erroneous, such as two checks for the same month, or a check in the wrong amount. If he does not report such payments, he may be required to repay any overpayment.

History Note: Authority G.S. 108A-41(b); 143B-153; Eff. January 1, 1983; Temporary Amendment Eff. October 28, 1997.

SECTION .0300 - COVERAGE

.0303 AA-SA: GROUP II

AA-SA Group II coverage shall be provided only for persons who are:

- (1) aged 65 or older;
- (2) residing in domiciliary care facilities;

- (3) receiving SSI or financially ineligible for SSI;
- (4) in need;
- (5) not inmates of public institutions;
- (6) not patients in institutions for mental disease;
- (7) residing in North Carolina voluntarily with the intent to ~~remain~~; and remain and meet the North Carolina residency requirement for Special Assistance; and
- (8) U.S. citizens or aliens lawfully admitted for permanent residence.

*History Note: Authority G.S. 108A-41(b); 143B-153;
Eff. January 1, 1983;
Temporary Amendment Eff. October 28, 1997.*

.0304 AD-SA: GROUP II

AD-SA Group II coverage shall be provided only for persons who are:

- (1) aged 18 or older but under 65;
- (2) residing in domiciliary care facilities;
- (3) receiving SSI or financially ineligible for SSI;
- (4) in need;
- (5) disabled under social security standards;
- (6) not inmates of public institutions;
- (7) not patients in institutions for mental disease;
- (8) residing in North Carolina voluntarily with the intent to ~~remain~~; and remain and meet the North Carolina residency requirement for Special Assistance; and
- (9) U.S. citizens or aliens lawfully admitted for permanent residence.

*History Note: Authority G.S. 108A-41(b); 143B-153;
Eff. January 1, 1983;
Temporary Amendment Eff. October 28, 1997.*

.0305 CD-SA: CERTAIN DISABLED

CD-SA coverage shall be provided only for persons who are:

- (1) ~~Ineligible~~ ineligible for SSI and are not receiving SSI;
- (2) ~~In~~ in need;
- (3) ~~Not not~~ inmates of correctional facilities;
- (4) ~~Not not~~ patients in institutions for mental disease;
- (5) ~~Residing~~ residing in North Carolina voluntarily with the intent to ~~remain~~; remain and meet the North Carolina residency requirement for Special Assistance; and
- (6) U.S. citizens or aliens lawfully admitted for permanent residence; and
- (7) ~~Not not~~ receiving Medicaid for the same month.

*History Note: Authority G.S. 108A-25; 108A-41(b); 143B-153;
Eff. January 1, 1983;
Amended Eff. November 2, 1992; February 1, 1986;
Temporary Amendment Eff. October 28, 1997.*

SECTION .0400 - ELIGIBILITY FACTORS

.0403 RESIDENCE

(a) State Residence Eligibility Requirement. An ~~applicant or recipient must be making his home in North Carolina voluntarily with the intent to remain. This includes anyone who enters North Carolina because of a job commitment or seeking work but is not receiving assistance from another state. individual must be a resident of North Carolina for at least 90 days immediately prior to receiving Special Assistance, except for Subparagraphs (1) and (2) of this Paragraph.~~

- (1) A person coming to North Carolina to join a close relative (parent, grandparent, brother, sister, spouse, or child) who has resided in North Carolina for at least 180 consecutive days immediately prior to the person's application is exempt from the 90-day residency requirement.
- (2) A person discharged from a State facility, as listed under G.S. 122C-181, who was a patient in the facility as a result of an interstate mental health compact is exempt from the 90-day residency requirement.

(b) Moving Into, Visiting In , or Moving Out of North Carolina.

- (1) Moving into or visiting in North Carolina from other states.
 - (A) An individual who moves to or visits in North Carolina cannot be Group I regardless of his status in the previous state.
 - (B) If an individual moves to North Carolina voluntarily and states his intent to remain, he is a resident of North Carolina. This includes anyone who enters North Carolina because of a job commitment or seeking work but is not receiving assistance from another state. He must apply at the county department of social services in the county in which he resides.
 - (C) An individual visiting in the state without a stated intent to remain is ineligible for ~~SA: Special Assistance.~~
- (2) An individual who moves to another state and intends to remain there is not eligible for Special Assistance.
- (c) County Residence Eligibility Requirement.
 - (1) An individual ordinarily has residence in the county in which he resides. However, if he is in a hospital, mental institution, intermediate care facility, skilled nursing home, boarding home, confinement center or similar facility, the county in which the facility is located may not be his legal residence. Except for (2) and (3) of this Paragraph, the county of legal residence would be the county in which the individual lived in private living arrangements prior to entering a facility.

- (2) A woman in domiciliary care has the county residence of her husband.
- (3) If a disabled adult child (DAC) has remained in a facility (Example: domiciliary care), he remains a resident of the county and state in which his parent(s) had residence immediately prior to his reaching age 18. If he as an adult is entering domiciliary care and it is not possible to trace his county of residence as a minor, he may establish residence based on his intent to remain regardless of his parent's current legal residence.

(d) Temporary Absence.

- (1) A domiciliary care applicant or recipient shall not receive Special Assistance for days he is not living in the rest home unless he is expected to return within ~~one month~~; 30 days.
- (2) Temporary absence from the state or county of residence with subsequent return or intent to return does not make a ~~ED~~ Certain Disabled recipient in a private living arrangement ineligible.

(e) Verification. The worker shall accept the applicant's or recipient's statement unless there is some reason to doubt it. If there is doubt, documentary evidence shall be required. If a ~~ED~~ Certain Disabled recipient's visit to another county within the state or to another state exceeds three months, the eligibility specialist in the responsible county shall verify the following:

- (1) the recipient's intent to return;
- (2) reason for the continuing absence; and
- (3) the continuing maintenance of a home in the first county.

History Note: Authority G.S. 108A-41; 108A-41(b); 143B-153;

Eff. January 1, 1983;

Amended Eff. June 1, 1990;

Temporary Amendment Eff. October 28, 1997.

TITLE 11 - DEPARTMENT OF INSURANCE

Rule-making Agency: *Department of Insurance*

Rule Citation: *11 NCAC 12 .1801 - .1804*

Effective Date: *January 1, 1998*

Findings Reviewed and Approved by: *Beecher R. Gray*

Authority for the rule-making: *G.S. 58-2-40; 58-50-56*

Reason for Proposed Action: *Senate Bill 932, Session Law 1997-519, requires adoption of preferred provider rules to become effective January 1, 1998.*

Comment Procedures: *Written comments should be addressed to Barbara Morales-Burke, NC Department of*

Insurance, Managed Care Division, 111 Seaboard Avenue, Raleigh, NC 27604; or by directing calls to (919) 715-0526.

CHAPTER 12 - LIFE AND HEALTH DIVISION

SECTION .1800 - PPO BENEFIT PLAN PRODUCT LIMITATIONS

.1801 APPLICABILITY

This Section applies to any insurer or service corporation that, under G.S. 58-50-56, offers a preferred provider benefit plan.

History Note: Authority G.S. 58-2-40; 58-50-56;

Temporary Adoption Eff. January 1, 1998.

.1802 DEFINITIONS

The definitions contained in G.S. 58-50-56(a) are incorporated into this Section by reference; and as used in this Section, the following terms have the meanings ascribed to them:

- (1) "Coinsurance" means the percentage of an allowed charge or expense, or usual and customary charge for a covered health care service that an enrollee must pay.
- (2) "Copayment" means a fixed dollar amount that an enrollee must pay each time a covered health care service is provided.
- (3) "Deductible" means a specified amount of covered health care services, expressed in dollars, that must be incurred by an enrollee before the insurer will assume any financial liability for all or part of covered health care services.
- (4) "Emergency health care services" means those services as defined and delivered in accordance with G.S. 58-3-190.
- (5) "Enrollee" means an individual who is covered by a PPO benefit plan.
- (6) "In-network covered services" means covered health care services that are received according to the rules of the health benefit plan from providers employed by, under contract with, or approved in advance by the insurer; and means emergency health care services regardless of the status or affiliation of the provider of such services.
- (7) "Out-of-network covered services" means non-emergency, medically necessary covered health care services that are not received according to the rules of the health benefit plan, including services from affiliated providers that are received without the approval of the insurer.
- (8) "Out-of-pocket expense" means a specified dollar amount of coinsurance incurred and payable by an enrollee for covered health care services in a specified period. Out-of-pocket expense may or may not include deductible amounts, copayment

amounts, charges in excess of the amount allowed by the insurer, amounts exceeding the maximum benefits, or any other disallowed or noncovered expenses under the rules of the health benefit plan.

- (9) "PPO benefit plan" has the same meaning as "preferred provider benefit plan" in G.S. 58-50-56(a)(3).

History Note: Authority G.S. 58-2-40; 58-50-56;
Temporary Adoption Eff. January 1, 1998.

.1803 GENERAL REQUIREMENTS

No insurer shall provide any PPO benefit plan unless it complies with the following:

- (1) Where the covered benefits of a PPO benefit plan include coinsurance, the difference in coinsurance rates between in-network covered services and out-of-network covered services shall not exceed 30 percentage points.
- (2) If the schedule of benefits for a PPO benefit plan imposes a deductible for in-network covered services, the amount of any separate annual deductible per enrollee or per family for out-of-network covered services may not exceed two times the amount of the annual per enrollee or per family deductible applied to in-network covered services.
- (3) If the schedule of benefits for a PPO benefit plan does not include an annual deductible for in-network covered services, the annual deductibles for out-of-network covered services shall not exceed two hundred and fifty dollars (\$250.00) per enrollee and the family deductible may not exceed seven hundred and fifty dollars (\$750.00).
- (4) The portion of any charge for out-of-network covered services to be applied to an annual deductible may be based on actual charges or the insurer's usual and customary charges.
- (5) If there are benefit maximums for in-network covered services, the amount of any annual and lifetime maximum limits for out-of-network covered services shall not be less than one-half of the amount of any annual and lifetime maximum limits for in-network covered services.
- (6) If a PPO benefit plan includes copayments for both in-network covered services and out-of-network covered services, the amount of the copayment for an out-of-network covered service shall not exceed the copayment for an in-network covered service by more than twenty dollars (\$20.00) or 100%, whichever is less.
- (7) If the schedule of benefits for a PPO benefit plan limits the annual out-of-pocket expenses of enrollees to a maximum amount for in-network covered services, the amount of any separate annual out-of-pocket maximum for out-of-network covered services may not exceed two times the maximum amount for in-network covered services.

- (8) If the schedule of benefits for a PPO benefit plan does not include an annual maximum limit on out-of-pocket expenses for in-network covered services, the maximum limit on out-of-pocket expenses for out-of-network covered services shall not exceed one thousand two hundred and fifty dollars (\$1,250) per enrollee or three thousand seven hundred and fifty dollars (\$3,750) per family.
- (9) An insurer offering a PPO benefit plan may limit coverage for annual physicals and health screenings performed for preventative purposes to those services provided on an in-network basis, except that services provided in connection with mandated benefits must be available on both an in-network and out-of-network basis. An insurer shall provide coverage on both an in-network and out-of-network basis for all other covered services.
- (10) Covered services not reasonably available through providers affiliated or contracted with the insurer shall be covered on an in-network basis, as provided in G.S. 58-3-200(d).
- (11) PPO benefit plans shall give enrollees the option to choose in-network covered services or out-of-network covered services each time those covered services are authorized, obtained, or rendered; and shall not require enrollees to obtain insurer approval to exercise that option.
- (12) An insurer offering a PPO benefit plan shall not impose different medical management requirements, including utilization review criteria or prior approval requirements, for out-of-network covered services than are imposed on in-network covered services. Those medical management requirements shall not restrict enrollees' abilities to seek covered services on out-of-network bases.

History Note: Authority G.S. 58-2-40; 58-50-56;
Temporary Adoption Eff. January 1, 1998.

.1804 DISCLOSURE REQUIREMENTS

- (a) Every explanation of benefits shall contain an explanation of coverage for out-of-network covered services that allows each enrollee to determine his or her obligations with respect to those services.
- (b) Marketing materials, evidences of coverage, enrollee handbooks, and other materials given to enrollees by an insurer that offers a PPO benefit plan shall contain a clear and comprehensive explanation of the PPO benefit plan. The explanation shall include the following information:
 - (1) the method of reimbursement, including whether actual charges or usual and customary charges are used in making all benefit calculations;
 - (2) applicable coinsurance, copayment, and deductible amounts;
 - (3) any other uncovered costs or charges;
 - (4) the covered health care services that an enrollee may receive on an out-of-network basis, including

- whether or not annual physicals and health screenings are available out-of-network; and
 (5) instructions for submittal of claims for out-of-network covered services.

History Note: Authority G.S. 58-2-40; 58-3-191(b); 58-50-56;

Temporary Adoption Eff. January 1, 1998.

TITLE 21 - OCCUPATIONAL LICENSING BOARDS

CHAPTER 68 - CERTIFICATION BOARD FOR SUBSTANCE ABUSE PROFESSIONALS

Rule-making Agency: NC Substance Abuse Professional Certification Board

Rule Citation: 21 NCAC 68 .0101, .0301 - .0307

Effective Date: November 15, 1997

Findings Reviewed and Approved by: Beecher R. Gray

Authority for the rule-making: G.S. 90, Article 5C

Reason for Proposed Action: To establish the certification process for clinical addictions specialists are mandated by the passage of Senate Bill 712. The Board also intends to adopt permanent rules addressing issues of ethics, selection of members to the Board, certification, education, grounds for discipline and disciplinary procedures and appeals process to refine existing rules and clarify agency policy.

Comment Procedures: Written comments may be sent to Ann Christian, Rulemaking Coordinator, PO Box 2455, Raleigh, NC 27602. A Public Hearing will be conducted at 10:00 a.m. on March 6, 1998 at Nick's Cuisine, 2699 Ramada Rd., Burlington, NC 27216. (See Maitre d' for room designation).

SECTION .0100 - GENERAL

.0101 DEFINITIONS

As used in the General Statutes or this Chapter, the following terms have the following meaning:

- (a)(1) "Approved Supervisor" means a person who fulfills or is in the process of fulfilling the requirements for this Board designation pursuant to Rule .0211 of this Chapter by completing its academic, didactic and experiential requirements.
- (b)(2) "Assessment" means identifying and evaluating an individual's strengths, weaknesses, problems and needs for the development of a treatment plan for alcohol and drug abuse.
- (c)(3) "Board" means the North Carolina Substance Abuse

Professionals Professional Certification Board.

(d)(4) "Complainant" means a person who has filed a complaint pursuant to these Rules.

(e)(5) "Consultation" means a meeting for discussion, decision-making and planning with other service providers for the purpose of providing substance abuse services.

(f)(6) "Crisis" means a decisive, crucial event in the course of treatment that ~~threatens to~~, threatens, either directly or indirectly related to alcohol or drug use, to compromise or destroy the rehabilitation effort.

(7) "Deemed Status Group" means those persons who are credentialed as a clinical addictions specialist because of their membership in a deemed status discipline.

(g) "~~Form~~" means ~~an written instrument approved by the Board.~~

(8) "Full Time" means 2,000 hours per year.

(h)(9) "Hearing Committee" means a committee comprised of three members of the Board appointed by the President to hear an appeal from the Ethics Committee.

(10) "Letter of Reference" means a letter that recommends a person for certification.

(11) "Membership In Good Standing" means a member's certification is not in a state of revocation, lapse, or suspension. However, an individual whose certification is suspended and the suspension is stayed is a member in good standing during the period of the stay.

(12) "Passing Score" means the score set by the entity administering the exam.

(i)(13) "President" means the President of the North Carolina Substance Abuse Professionals Certification Board.

(j)(14) "Referral" means identifying the needs of an individual that cannot be met by the counselor or agency and assisting the individual to utilize the support systems and community resources available.

(k)(15) "Reprimand" means a formal written warning from the Board to a person certified by the Board.

(l)(16) "Respondent" means a person who is certified by the Board against whom a complaint has been filed.

(m)(17) "Substance Abuse Counseling Experience" means approved supervised experience that may be ~~full-time~~ full time or part-time, paid or voluntary, and must include all of the 12 core functions (Rule .0205 of this Chapter) as documented by a job description and supervisor's evaluation.

(n)(18) "Supervised Practical Training" means supervision to teach the knowledge and skills related to substance abuse professionals at a ratio of one hour of supervision to every 10 hours of practice for 300 practice hours.

(o)(19) "Suspension" means a time-limited loss of

certification or the privilege of making application for certification for up to two years: certification.

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.40; 90-113.41; 90-114.41A; Eff. August 1, 1996; Temporary Amendment Eff. November 15, 1997.

SECTION .0300 - CLINICAL ADDICTIONS SPECIALIST

.0301 SCOPE

These Rules apply to a person seeking certification as a clinical addictions specialist and a professional discipline seeking deemed status.

History Note: Authority G.S. 113.30; 90-113.40; 90-113.41A; Temporary Adoption Eff. November 15, 1997.

.0302 DEFINITIONS

In addition to the definitions in G.S. 90, Article 5C and Rule .0101 of this Chapter, the following definitions apply:

- (1) "Section 17" means S.L. 1997, c. 492, s. 17.
- (2) "Section 18" means S.L. 1997, c. 492, s. 18.

History Note: Authority S.L. 1997, c. 492; Temporary Adoption Eff. November 15, 1997.

.0303 APPLICATION FOR DEEMED STATUS BY PROFESSIONAL DISCIPLINE

(a) Any professional discipline seeking deemed status shall forward a letter of intent with a request for an application to become a deemed status organization to the Board.

(b) As directed by the Board, the discipline shall provide the following:

- (1) Documentation that it meets the requirements of G.S. 90-113.41A;
- (2) A copy of the ethical code and statement, if any, it requires its members to sign indicating that the member will comply with the discipline's code of ethics;
- (3) Statistics reflecting the disciplinary actions taken by the organization requesting deemed status for the previous two years with those statistics to include any revocations, suspensions, and denials of its credential; and
- (4) Documentation describing the exam process each applicant must pass in order to be awarded the professional group's substance abuse specialty credential.

(c) A discipline granted deemed status shall provide the name of any member:

- (1) Against whom a complaint is made within 60 days from the date the complaint is received; and
- (2) Whose credential with the professional discipline is revoked, suspended or denied within 60 days from

the date of the action.

(d) The professional discipline shall provide any information requested by the Board that has been submitted to the professional discipline regarding the complaint against its member.

History Note: Authority G.S. 90-113.32; 90-113.33; 90-113.41A; 90-113.43; Temporary Adoption Eff. November 15, 1997.

.0304 THREE-YEAR STANDARDS REVIEW OF DEEMED STATUS STANDING

(a) The Standards and Credentialing Committee of the Board shall review the standards of each professional discipline every third year as required in G.S. 90-113.41A.

(b) The Board shall send notice to the discipline 90 days in advance of the end of the three-year period following the date deemed status was granted or renewed.

(c) The discipline shall report current standards, including an update of all information originally required.

(d) The Board may require further substantiation and explanation of this data.

History Note: Authority G.S. 90-113.32; 90-113.33; 90-113.41A; 90-113.43; Temporary Adoption Eff. November 15, 1997.

.0305 CERTIFICATION REQUIREMENTS FOR INDIVIDUAL APPLICANT

In addition to meeting the requirements of G.S. 90-113.40, an applicant seeking certification as a clinical addictions specialist shall submit the following, if applicable:

- (1) Documentation evidencing membership in good standing in the professional discipline if seeking certification pursuant to Sections 17 or 18;
- (2) Documentation evidencing that 12 hours of HIV/AIDS training and education and six hours of professional ethics training were included in the 180 hours completed for certification in the core competencies by the applicant not in the deemed status group;
- (3) Copy of a substance abuse specialty certificate or its equivalent;
- (4) Copy of his or her masters' or doctorate degree diploma;
- (5) Completed registration form;
- (6) Statement that the applicant is a North Carolina resident with the address set forth; and
- (7) Payment of the following fees:
 - (a) All applicants who are in the deemed status group shall make payment of a non-refundable application fee of ten dollars (\$10.00) and payment of a non-refundable certification fee of forty dollars (\$40.00).
 - (b) All other applicants shall make payment of a non-refundable application fee of twenty-five dollars (\$25.00) and payment of a non-

- refundable certification fee of one hundred dollars (\$100.00).
- (c) All applicants seeking certification pursuant to Criteria A of G.S. 90-113.40(c) shall make payment of a non-refundable written examination fee of one hundred dollars (\$100.00) and payment of a non-refundable oral examination fee of one hundred dollars (\$100.00).
 - (d) All applicants seeking certification pursuant to Criteria B of G.S. 90-113.40(c) shall make payment of a non-refundable written examination fee of one hundred dollars (\$100.00).
 - (e) All applicants seeking certification pursuant to Criteria C of G.S. 90-113.40(c) shall make payment of a non-refundable oral examination fee of one hundred dollars (\$100.00).

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.38; 90-113.40; 90-113.41; 90-113.43;

Temporary Adoption Eff. November 15, 1997.

.0306 RENEWAL OF INDIVIDUAL CERTIFICATION AS CLINICAL ADDICTIONS SPECIALIST

(a) The individual applicant shall renew certification as classified by the criteria for their original certification every two years.

(b) Each certified clinical addictions specialist shall document completing 40 hours of education approved by the Board pursuant to Section .0400 of this Chapter, during the current certification period. A minimum of 30 hours shall be substance abuse specific. This education may include a combination of hours including attending workshops, receiving clinical supervision and providing workshops.

(c) Recertification educational guidelines as a substance abuse professional require:

- (1) No more than 25 percent or 10 hours may be inservice education, received within the applicant's organization by staff of the same employment.
- (2) No more than 25 percent or 10 hours receiving supervision with two hours of supervision translating to one hour of education.
- (3) No more than 25 percent or 10 hours of workshop presentation with two hours of presentation translating to one hour of education. Workshop presentation shall be a part of an event pre-approved by the Board pursuant to Rule .0213 of this Chapter.

- (4) No more than 25 percent or 10 hours of Alcohol/Drug Education Traffic School (ADETS) and Drug Education School (DES) events.
- (5) All applicants shall include six hours of HIV/AIDS training and education and three hours of professional ethics training and education for each certification.

(d) An applicant who is in the deemed status group shall submit the following:

- (1) A completed application form and copy of current substance abuse certification from the applicant's deemed status professional discipline; and
- (2) A non-refundable recertification fee of thirty-five dollars (\$35.00).

(e) All other applicants shall submit the following:

- (1) A completed application form with continuing education documented; and
- (2) A non-refundable one hundred dollar (\$100.00) recertification fee.

History Note: Authority G.S. 90-113.30; 90-113.33; 90-113.38; 90-113.41A; 90-113.43;

Temporary Adoption Eff. November 15, 1997.

.0307 REVOCATION OF CREDENTIAL WHEN CHANGE IN STATUS

(a) Any clinical addictions specialist credentialed pursuant to deemed status who is no longer a member in good standing of his or her professional discipline may be subject to revocation of the credential.

(b) Any clinical addictions specialist who is credentialed pursuant to the deemed status criteria may lose this credential if the professional discipline loses its deemed status standing.

(c) Any clinical addictions specialist whose certification is obtained pursuant to the deemed status criteria and whose certification may be revoked or is revoked as a result of loss of membership in good standing with the professional discipline or loss by the professional discipline of its deemed status standing, may apply for certification pursuant to G.S. 90-113.40(c)(1), (2), or (3) or S.L. 1997, c. 492, s. 17 or 18. This individual shall submit a completed application for certification within 60 days from the date notice of loss of the individual's membership or notice of the loss of deemed status by the professional group is received by the member of the professional discipline.

History Note: Authority G.S. 90-113.30; 90-113.40; 90-113.41; 90-113.41A; S.L. 1997, c. 492, s.17; S.L. 1997, c. 492, s.18;

Temporary Adoption Eff. November 15, 1997.

*This Section includes the Register Notice citation to Rules approved by the Rules Review Commission (RRC) at its meeting of October 16, 1997 pursuant to G.S. 150B-21.17(a)(1) and reported to the Joint Legislative Administrative Procedure Oversight Committee pursuant to G.S. 150B-21.16. The full text of rules are published below when the rules have been approved by RRC in a form different from that originally noticed in the Register or when no notice was required to be published in the Register. The rules published in full text are identified by an * in the listing of approved rules. Statutory Reference: G.S. 150B-21.17.*

These rules unless otherwise noted, will become effective on the 31st legislative day of the 1998 Short Session of the General Assembly or a later date if specified by the agency unless a bill is introduced before the 31st legislative day that specifically disapproves the rule. If a bill to disapprove a rule is not ratified, the rule will become effective either on the day the bill receives an unfavorable final action or the day the General Assembly adjourns. Statutory reference: G.S. 150B-21.3.

APPROVED RULE CITATION

**REGISTER CITATION TO THE
NOTICE OF TEXT**

10	NCAC 03B	.1001 - 1002*	11:29 NCR 2188
10	NCAC 03C	.3707	11:29 NCR 2188
10	NCAC 03D	.2103 - .2104*	11:29 NCR 2198
10	NCAC 03D	.2202 - .2203	11:29 NCR 2204
10	NCAC 03D	.2301 - .2302	11:29 NCR 2204
10	NCAC 03D	.2401*	11:29 NCR 2205
10	NCAC 26B	.0113*Amended Eff. 1-1-98	10:16A NCR 1721
15A	NCAC 06E	.0106 - .0108*Amended Eff. 11-1-97	not required, G.S. 150B-21.5
15A	NCAC 07H	.0304*	11:27 NCR 2069
15A	NCAC 07H	.0305	11:27 NCR 2071
15A	NCAC 10F	.0355	12:01 NCR 18
15A	NCAC 18A	.1937*	12:02 NCR 62
15A	NCAC 18A	.1961*	12:02 NCR 67
15A	NCAC 19A	.0101 - .0102*	12:02 NCR 69
15A	NCAC 19A	.0201*	12:02 NCR 72
15A	NCAC 19A	.0203*	12:02 NCR 72
15A	NCAC 19A	.0205*	12:02 NCR 74
15A	NCAC 24A	.0202	12:02 NCR 75
16	NCAC 06D	.0303	12:01 NCR 19
16	NCAC 06D	.0305 - .0306	12:01 NCR 19
16	NCAC 06G	.0304	12:01 NCR 19
16	NCAC 06G	.0309*	12:01 NCR 19
16	NCAC 06G	.0401 - .0404	12:01 NCR 19
19A	NCAC 02B	.0242	12:03 NCR 207
19A	NCAC 02B	.0303	12:03 NCR 207
21	NCAC 16I	.0001*	11:25 NCR 1915
21	NCAC 16M	.0003*	11:25 NCR 1916

**TITLE 10
DEPARTMENT OF HUMAN RESOURCES**

**CHAPTER 3
FACILITY SERVICES**

SUBCHAPTER 3B - PROCEDURAL RULES

**SECTION .1000 - HEALTH CARE PERSONNEL
REGISTRY**

.1001 DEFINITIONS

The following definitions shall apply throughout this Subchapter:

- (1) "Abuse" is defined by 42 CFR Part 488 Subpart E which is incorporated by reference, including subsequent amendments. Copies of the Code of Federal Regulations may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington D.C. 20402.
- (2) "Diversion of drugs" means the unauthorized taking or use of any drug.

- (3) "Drug" means any chemical compound that may be used on or administered to humans or animals as an aid in the diagnosis, treatment or prevention of disease or other condition or for the relief of pain or suffering or to control or improve any physiological pathologic condition.
- (4) "Finding" (when used in conjunction with the Health Care Personnel Registry) means a determination by the Department that an allegation of resident abuse or neglect, misappropriation of resident or health care facility property, diversion of drugs belonging to a resident or health care facility, and fraud against a resident or health care facility has been substantiated.
- (5) "Fraud" means an intentional deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit to himself or some other person. It includes any act that constitutes fraud under applicable Federal or State Law.
- (6) "Health Care Facility" means all the facilities and agencies as defined in G.S. 131E-256(b).
- (7) "Health Care Personnel" means all the persons as defined in G.S. 131E-256(c).
- (8) "Misappropriation of resident property" is defined by 42 CFR Part 488 Subpart E which is incorporated by reference, including subsequent amendments. Copies of the Code of Federal Regulations may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington D.C. 20402.
- (9) "Misappropriation of the property of a health care facility" means the deliberate misplacement, exploitation, or wrongful, temporary or permanent use of a health care facility's property without the facility's consent.
- (10) "Neglect" is defined by 42 CFR Part 488 Subpart E which is incorporated by reference, including subsequent amendments. Copies of the Code of Federal Regulations may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington D.C. 20402.
- (11) "Resident" means all the individuals residing in or being served by a health care facility as defined in G.S. 131E-256(b).

*History Note: Authority G.S. 131E-256; 42 U.S.C. 1395; 42 U.S.C. 1396;
Temporary Adoption Eff. December 20, 1996;
Eff. August 1, 1998.*

.1002 INVESTIGATING AND REPORTING HEALTH CARE PERSONNEL

(a) The health care facility shall investigate and document all allegations of resident abuse or neglect, misappropriation of resident or facility property, diversion of drugs belonging to a resident or facility, and fraud against a resident or

facility, within five working days of the date the facility becomes aware of the alleged incident. The facility shall take whatever steps are necessary to prevent further acts of abuse, neglect, misappropriation of property, drug diversion, or fraud while the investigation is in progress.

(b) Upon completion of the investigation, the health care facility shall ensure that all allegations which appear to a reasonable person to be related to any act of resident abuse or neglect, misappropriation of resident or facility property, diversion of drugs belonging to a resident or facility, and fraud against a resident or facility are reported immediately to the Division of Facility Services. The report shall be printed or typed and mailed or faxed to the Division. The report shall include all information relevant to the investigation.

*History Note: Authority G.S. 131E-256;
Temporary Adoption Eff. December 20, 1996;
Eff. August 1, 1998.*

SUBCHAPTER 3D - RULES AND REGULATIONS GOVERNING AMBULANCE SERVICE AND TRAUMA SYSTEMS

SECTION .2100 - NOTICES; INSTRUCTIONS; REPORTS AND INSPECTIONS

.2103 LEVEL III TRAUMA CENTER CRITERIA

(a) To receive designation as a Level III Trauma Center, a hospital shall have the following:

- (1) a trauma service which has been operational for at least six months prior to application;
- (2) membership in and inclusion of all trauma patient records in the North Carolina Trauma Registry for at least six months prior to application;
- (3) a trauma medical director who is a board certified surgeon with demonstrated special competence in trauma care;
- (4) a designated trauma nurse coordinator (TNC) who is a registered nurse, licensed by the North Carolina Board of Nursing;
- (5) a trauma registrar (TR) who has a working knowledge of medical terminology, is able to operate a personal computer, and has demonstrated the ability to extract data from the medical record;
- (6) clinical services in General Surgery, Emergency Medicine, and Anesthesiology;
- (7) response of a trauma team to provide evaluation and treatment of a trauma patient 24-hours-per-day that includes:
 - (A) a trauma attending who responds within 30 minutes of notification and participates in therapeutic decisions and is present at all operative procedures;
 - (B) an emergency physician who is present in the emergency department 24-hours-per-day who is either board certified or prepared in emergency medicine (by the American Board

- of Emergency Medicine or the American Osteopathic Board of Emergency Medicine) or board certified or eligible by the American Board of Surgery, American Board of Family Practice, or American Board of Internal Medicine and practices emergency medicine as his primary specialty. This physician serves as a designated member of the trauma team until the arrival of the trauma surgeon;
- (C) An anesthesiologist who is on-call and available within 20 minutes of notification or an in-house CRNA under physician supervision, practicing in accordance with G.S. 90-171.20(7)e., pending the arrival of the anesthesiologist within 20 minutes of notification;
- (8) a written credentialing process established by the department of surgery to approve attending general surgeons covering the trauma service. These surgeons must have a minimum of board certification in general surgery within five years of completing residency;
- (9) two separate call schedules. One shall be for trauma, one for general surgery. In those instances where a physician may simultaneously be listed on both schedules, there must be a defined back-up surgeon listed on the trauma schedule. If a surgeon is simultaneously on call at more than one hospital, there must be a defined back-up listed on the trauma schedule;
- (10) standard written protocols relating to trauma care management must be formulated and routinely updated;
- (11) Criteria to ensure team activation within 20 minutes prior to patient arrival (in instances where the hospital has at least 20 minutes notification), trauma service admission, and evaluation of patients w/multiple system or major injury based upon the earliest recognition of the following physiologic criteria:
- (A) Shock;
 - (B) Respiratory distress;
 - (C) airway compromise;
 - (D) spinal cord injury;
 - (E) unresponsiveness (Glasgow Coma Scale < 8) w/potential for multiple injuries;
 - (F) revised trauma score less than or equal to eight (when in field);
- (12) prompt surgical consults that shall be initiated based upon the following criteria:
- (A) falls greater than 20 feet;
 - (B) pedestrian struck by motor vehicle;
 - (C) motor vehicle crash with:
 - (i) ejection (includes motorcycle);
 - (ii) rollover;
 - (iii) speed greater than 40 miles per hour;
- or
- (iv) death at the scene;
 - (D) proximal amputations;
 - (E) burn plus trauma;
 - (F) vascular compromise;
 - (G) crush to chest or pelvis;
 - (H) two or more proximal long bone fractures; and
 - (I) gunshot wound to torso, neck, or proximal extremities;
- (13) internal medicine and subspecialties within 30 minutes of notification;
- (14) an emergency department which has at a minimum;
- (A) a designated physician director who, if hired after January 1, 1992, is board certified or board prepared in emergency medicine (by the American Board of Emergency Medicine or the American Osteopathic Board of Emergency Medicine);
 - (B) 24-hour-per-day staffing by physicians by physicians physically present in the Emergency Department who:
 - (i) are either board certified or prepared in emergency medicine (by the American Board of Emergency Medicine or the American Osteopathic Board of Emergency Medicine) or board certified or eligible by the American Board of Surgery, American Board of Family Practice, or American Board of Internal Medicine;
 - (ii) are designated members of the trauma team; and
 - (iii) practice emergency medicine as their primary specialty;
 - (C) nursing personnel with experience in trauma care who continually monitor the trauma patient from hospital arrival to disposition to an intensive care unit, operating room, or patient care unit;
 - (D) resuscitation equipment for patients of all ages to include:
 - (i) airway control and ventilation equipment (laryngoscopes, endotracheal tubes, bag-mask resuscitators, pocket masks, and oxygen);
 - (ii) pulse oximetry;
 - (iii) suction devices;
 - (iv) electrocardiograph-oscilloscope-defibrillator;
 - (v) apparatus to establish central venous pressure monitoring;
 - (vi) intravenous fluids and administration devices to include large bore catheters;
 - (vii) sterile surgical sets for airway control/cricothyrotomy, thoracotomy,

- vascular access, and chest decompression;
 - (viii) apparatus for gastric decompression;
 - (ix) 24-hour-per-day X-ray capability;
 - (x) two-way communication equipment for communication with the emergency transport system;
 - (xi) skeletal traction devices, including capability for cervical traction;
 - (xii) thermal control equipment for patients; and
 - (xiii) thermal control equipment for blood and fluids;
- (15) an operating suite which has at a minimum;
 - (A) thermal control equipment for patients;
 - (B) thermal control equipment for blood and fluids;
- (16) a postanesthetic recovery room or surgical intensive care unit which has at a minimum;
 - (A) 24-hour-per-day availability of registered nurses within 30 minutes from inside or outside the hospital;
 - (B) equipment for patients of all ages to include:
 - (i) capability for continuous monitoring of temperature, hemodynamics, and gas exchange;
 - (ii) pulse oximetry;
 - (iii) thermal control equipment for patients; and
 - (iv) thermal control equipment for blood and fluids;
- (17) an intensive care unit for trauma patients which has at a minimum;
 - (A) a designated surgical director of trauma patients;
 - (B) a physician on duty in the intensive care unit 24-hours-per-day or immediately available from within the hospital (which may be a physician who is the sole physician on call for the Emergency Department);
 - (C) equipment for patients of all ages to include:
 - (i) airway control and ventilation equipment (laryngoscopes, endotracheal tubes, bag-mask resuscitators and pocket masks);
 - (ii) oxygen source with concentration controls;
 - (iii) cardiac emergency cart;
 - (iv) temporary transvenous pacemaker;
 - (v) electrocardiograph-oscilloscope-defibrillator;
 - (vi) cardiac output monitoring capability;
 - (vii) electronic pressure monitoring capability;
 - (viii) mechanical ventilator;
 - (ix) patient weighing devices;
- (x) pulmonary function measuring devices; and
 - (xi) temperature control devices;
- (D) within 30 minutes of request, be able to perform blood gas measurements, hematocrit level, and chest X-ray studies;
- (18) physician-directed burn center staffed by nursing personnel trained in burn care or a written transfer agreement with a burn center;
- (19) acute spinal cord management capability or written transfer agreement with a designated spinal cord injury rehabilitation center when one exists within the region;
- (20) acute head injury management capability or written transfer agreement with a designated head injury center when one exists within the region;
- (21) radiological capabilities which have at a minimum:
 - (A) radiology technician available within 30 minutes of notification or documentation that procedures are available within 30 minutes;
 - (B) if the capability of computed tomography exists in the hospital, the computed tomography technician must be available within 30 minutes of notification;
- (22) full in house rehabilitation service or a written transfer agreement with a rehabilitation facility accredited by the Commission on Accreditation of Rehabilitation Facilities;
- (23) 24-hour-per-day clinical laboratory service which must include at a minimum:
 - (A) standard analysis of blood, urine, and other body fluids;
 - (B) blood typing and cross-matching;
 - (C) coagulation studies;
 - (D) comprehensive blood bank or access to a community central blood bank with storage facilities;
 - (E) blood gases and pH determination; and
 - (F) microbiology;
- (24) a quality improvement program to include:
 - (A) a state approved trauma registry;
 - (B) morbidity and mortality reviews;
 - (C) multidisciplinary trauma conference, at least quarterly, to include physicians, nurses, pre-hospital personnel, and a variety of other care givers which critiques individual cases and discusses educational issues related to trauma;
 - (D) utilization review;
 - (E) documentation and review of times and reasons for trauma related diversion of patients; and
 - (F) documentation and review of response times for trauma surgeons and anesthesiologists;
- (25) an outreach program to include:
 - (A) written transfer agreements to address the transfer and receipt of trauma patients;

- (B) programs for physicians within the community and within the referral area (to include telephone and on-site consultations) about how to access the trauma center resources and refer patients within the system; and
 - (C) participation in a Regional Advisory Committee (RAC);
 - (26) a documented continuing education program for staff physicians, nurses, allied health personnel, and community physicians to assure:
 - (A) 20 hours of category I trauma related continuing medical education every two years for all attending general surgeons on the trauma service;
 - (B) 20 hours of category I trauma related continuing medical education every two years for all emergency physicians;
 - (C) 20 hours of category I trauma related continuing medical education (beyond in house in services) every two years for the trauma nurse coordinator;
 - (D) eight hours per year trauma registry related or trauma related continuing education, as deemed appropriate by the trauma nurse coordinator, for the trauma registrar;
 - (E) at least an 80% compliance rate for 16 hours of trauma related continuing education (as approved by the trauma nurse coordinator) every two years related to trauma care for RN's and LPN's in transport programs, emergency departments, primary intensive care units, primary trauma floors, and other areas deemed appropriate by the trauma nurse coordinator; and
 - (F) eight contact hours of trauma related continuing education each year for physician assistants and mid-level practitioners routinely caring for trauma patients;
 - (27) an organ procurement program which includes medical and legal criteria for donation, role of organ procurement organizations and role of trauma care professionals; and
 - (28) a written plan specifying its role in the regional trauma network.
- (b) Initial designation as a Level III Trauma Center is valid for a period of three years. Hospitals may be issued a renewal designation for four years by demonstrating continued compliance with all criteria specified in Paragraph (a) of this Rule.

center designation shall complete and submit an original and five copies of a bound RFP to the Office of Emergency Medical Services at least 30 days prior to the State Emergency Medical Services Advisory Council meeting at which the application is to be considered. A schedule of meetings for the State Emergency Medical Services Advisory Council may be obtained from the Office of Emergency Medical Services at PO Box 29530, Raleigh, North Carolina 27626-0530. The RFP shall include, at a minimum, the following:

- (1) information which supports compliance with the criteria contained in "North Carolina's Trauma Center Criteria", dated November 1, 1996 which is incorporated by reference;
- (2) a justification by Level I or II applicants of the need for the trauma center that includes, at a minimum
 - (A) the population to be served and the extent to which the population is under served for trauma care with the methodology used to reach this conclusion;
 - (B) geographic considerations to include catchment area and distance from other trauma centers; and
 - (C) trauma patient volume and severity of injury for the facility for the twenty-four month period of time preceding the application. The trauma center shall show that its trauma service will be taking care of at least 200 trauma patients with an Injury Severity Score (ISS) greater than or equal to 13 during the first two year period of its designation. This criteria shall be met without compromising the quality of care or cost effectiveness of any other designated Level I or II trauma center sharing all or part of its catchment area or by jeopardizing the existing trauma center's ability to meet this same 200 patient minimum.
- (b) Hospitals seeking a renewal of trauma center designation shall complete and submit an original and five copies of a bound RFP to the Office of Emergency Medical Services at least 30 days prior to the site survey.
- (c) For initial trauma center designation, the hospital shall request a consultant visit by the Office of Emergency Medical Services and have a visit within one year prior to submission of the RFP.
- (d) The RFP shall demonstrate that the hospital meets the standards for the designation level applied for as found in Rule .2101, .2102, or .2103 of this Section.

*History Note: Authority G.S. 131E-162;
Eff. August 1, 1998.*

*History Note: Authority G.S. 131E-162;
Eff. August 1, 1998.*

.2104 SUBMISSION OF REQUEST FOR PROPOSAL (RFP)

- (a) Hospitals desiring to be considered for initial trauma

SECTION .2400 - FORMS

.2401 SOURCE OF FORMS AND DOCUMENTS

One copy of any form or document referenced in this Subchapter may be obtained free of charge from the North Carolina Office of Emergency Medical Services, Division of Facility Services, Department of Health and Human Services, Post Office Box 29530, Raleigh, North Carolina 27626-9530, telephone (919) 733-2285.

*History Note: Authority G.S. 131E-162;
Eff. August 1, 1998.*

CHAPTER 26 - MEDICAL ASSISTANCE

SUBCHAPTER 26B - MEDICAL ASSISTANCE PROVIDED

.0113 NC MEDICAID CRITERIA FOR CONTINUED ACUTE STAY IN AN INPATIENT PSYCHIATRIC FACILITY

The following criteria apply to individuals under the age of 21 in a psychiatric hospital or in a psychiatric unit of a general hospital, and to individuals aged 21 through 64 receiving treatment in a psychiatric unit of a general hospital. These criteria shall be applied after the initial admission period of up to three days. To qualify for Medicaid coverage for a continuation of an acute stay in an inpatient psychiatric facility a patient must meet each of the conditions specified in Items (1) through (4) of this Rule. To qualify for Medicaid coverage for continued post-acute stay in an inpatient psychiatric facility a patient must meet all of the conditions specified in Item (5) of this Rule.

- (1) The patient has one of the following:
 - (a) A current DSM-IV, Axis I diagnosis; or
 - (b) A current DSM-IV, Axis II diagnosis and current symptoms/behaviors which are characterized by all of the following:
 - (i) Symptoms/behaviors are likely to respond positively to acute inpatient treatment; and
 - (ii) Symptoms/behaviors are not characteristic of patient's baseline functioning; and
 - (iii) Presenting problems are an acute exacerbation of dysfunctional behavior patterns which are recurring and resistive to change.
- (2) Symptoms are not due solely to mental retardation.
- (3) The symptoms of the patient are characterized by:
 - (a) At least one of the following:
 - (i) Endangerment of self or others; or
 - (ii) Behaviors which are grossly bizarre, disruptive, and provocative (e.g. feces smearing, disrobing, pulling out hair); or
 - (iii) Related to repetitive behavior disorders which present at least five times in a 24-hour period; or
 - (iv) Directly result in an inability to

- maintain age appropriate roles; and
 - (b) The symptoms of the patient are characterized by a degree of intensity sufficient to require continual medical/nursing response, management, and monitoring.
 - (4) The services provided in the facility can reasonably be expected to improve the patient's condition or prevent further regression so that treatment can be continued on a less intensive level of care, and proper treatment of the patient's psychiatric condition requires services on an inpatient basis under the direction of a physician.
 - (5) Except for patients receiving services through Carolina Alternatives and except for patients in state hospitals where the discharge requirements are set out in 10 NCAC 15A, in the event that not all of the requirements specified in Items (1) through (4) of this Rule are met, reimbursement may be provided for patients through the age of 17 for continued stay in an inpatient psychiatric facility at a post-acute level of care to be paid at the High Risk Intervention Residential High (HRI-R High) rate if the facility and program services are appropriate for the patient's treatment needs and provided that all of the following conditions are met:
 - (a) The psychiatric facility has made a referral for case management and after care services to the area Mental Health, Developmental Disabilities, Substance Abuse (MH/DD/SA) program which serves the patient's county of eligibility.
 - (b) The area MH/DD/SA program has found that no appropriate services exist or are accessible within a clinically acceptable waiting time to treat the patient in a community setting.
 - (c) The area MH/DD/SA program has agreed that the patient has a history of sudden decompensation or significant regression and experiences weakness in his or her environmental support system which are likely to trigger a decompensation or regression. This history must be documented by the patient's attending physician.
 - (d) The inpatient facility must have a contract to provide HRI-R, High with the area MH/DD/SA program which serves the patient's county of eligibility, or the area program's agent. Psychiatric hospitals or psychiatric units in general hospitals are eligible to establish contract relationships with all non-Carolina Alternatives area MH/DD/SA programs or their agents in accordance with statutory procedures as

- defined in G.S. 122C-142.
- (e) The Child and Family Services Section of the Division of Mental Health, Developmental Disabilities, Substance Abuse Services shall approve the use of extended HRI-R, High, based on criteria in Sub-items (a)-(c) of this Item.
 - (f) The area MH/DD/SA program shall approve the psychiatric facility for the provision of extended HRI-R High, receive claims from the inpatient facility, and provide reimbursement to the facility in accordance with the terms of its contract.

History Note: Authority G.S. 108A-25(b); 108A-54; 42 C.F.R. 441, Subpart D; Eff. January 1, 1998.

TITLE 15A - DEPARTMENT OF ENVIRONMENT AN NATURAL RESOURCES

CHAPTER 6 - SOIL AND WATER CONSERVATION COMMISSION

SUBCHAPTER 6E - AGRICULTURE COST SHARE PROGRAM FOR NONPOINT SOURCE POLLUTION CONTROL

SECTION .0100 - AGRICULTURE COST SHARE PROGRAM

.0106 TECHNICAL ASSISTANCE FUNDS

(a) The funds available for technical assistance shall be allocated by the commission based on the recommendation of the division and the needs as expressed by the district and needs to accelerate the installation of BMP's in the respective district. Each district may use these monies to fund new positions or to accelerate present technical assistance positions. Districts must provide an itemized budget to the division in order to qualify for technical assistance funds. Matching funds for district technical assistance shall be approved by the commission prior to any expenditure of funds. Budget revisions submitted by the districts can be approved by the NPS Section based on Paragraph (b) of this Rule. N. C. Agriculture Cost Share technical assistance funds may be used for each FTE technical position with the district matching 50 percent of the total. Priorities for funding positions are assigned based on the rating system as follows:

- (1) Position presently funded by program technical assistance funds 50 pts.
- (2) Position needed in district not presently receiving technical assistance monies
 - (A) Position needed to qualify for cost share allocation 15 pts.
 - (B) Position needed to further accelerate

- program 10 pts.
- (3) Position needed to further accelerate program in district presently receiving technical assistance monies for another position 5 pts.
- (4) Position needed to further accelerate treatment of identified critical nonpoint source pollution problem (i.e., intense animal waste, PNA drainage area, Nutrient Sensitive Watershed, etc.) 15 pts.

(b) Technical assistance funds may be used for salary, benefits, social security, field equipment and supplies, office rent, office equipment and supplies, postage, telephone service, travel and mileage. A maximum of two thousand five hundred dollars (\$2,500) per year for each FTE technical position is allowed for mileage charges.

(c) Minimum requirements for technical positions shall be one of the following:

- (1) associated degree in engineering, agriculture, forestry or related field, or
- (2) high school diploma with two years experience in the fields listed in Rule .0106 (c)(1), of this Subchapter, or
- (3) appropriate experience in the fields listed in Rule .0106 (c)(1) of this Subchapter.

(d) Cost shared positions must be used to accelerate the program activities in the district. A district technician cost shared with program funds may work on other activities as delegated by the field office supervisor but the total hours charged to the program by field office personnel must equal or exceed those hours funded through the program. Also, these hours must be in addition to those hours normally spent in BMP planning and installation by district personnel.

(e) District technicians may be jointly funded by more than one district to accelerate the program in each participating district. Each district must be eligible for cost sharing in the program. Requests for funding (salary, FICA, insurance, etc.) of a shared position must be presented to the division by all concerned districts and the division will cost share to the billing district at a 50-50 rate based on the portion of the FTE provided each respective district. A shared position must be officially housed in one specific district and cost share for support items (office rent, telephone, etc.) will be paid to one district only.

(f) Funds, if available, will be allocated to each participating district to provide for administrative costs under this program. These funds shall be used for clerical assistance and other related program administrative costs and will be matched with in-kind funds of an equal amount from the district.

History Note: Authority G.S. 139-4; 139-8; 143-215.74; 143B-294; Eff. May 1, 1987; Amended Eff. July 1, 1992; Recodified from 15A NCAC 6E .0006 Eff. December 20, 1996;

Amended Eff. November 1, 1997.

.0107 COST SHARE AGREEMENT

(a) The landowner shall be required to sign the agreement for all practices other than conservation tillage and land application of animal wastes. An applicant who is not the landowner may submit a long term written lease or other legal document, indicating control over the land in lieu of the landowner's signature, provided the control runs the length of the life of the practice as listed in the respective Program Year's Implementation Plan. Signature on the agreement constitutes responsibility for BMP maintenance and continuation.

(b) As a condition for receiving cost share or cost share incentive payments for implementing BMP's, the applicant shall agree to continue and maintain those practices for the minimum life as set forth in the Detailed Implementation Plan, effective the date the BMP's are implemented.

(c) As a condition for receiving cost share payments, the applicant shall agree to submit a soil test sample for analysis and follow the fertilizer application recommendations as close as reasonably and practically possible. Soil testing shall be required a minimum of every two years on all cropland affected by cost share payments. Failure to soil test shall not constitute noncompliance with the cost share agreement.

(d) As a condition for receiving cost share payments for waste management systems, the applicant shall agree to have the waste material analyzed once every year to determine its nutrient content. If the waste is land applied, the applicant shall agree to soil test the area of application and to apply the

waste as close as reasonably and practically possible to recommended rates. When waste is land applied, waste analysis and soil testing shall be conducted annually.

(e) The technical representative of the district shall determine if the practice(s) implemented have been installed according to specifications as defined for the respective program year in the USDA-Natural Resources Conservation Service Technical Guide, Section IV, Raleigh, North Carolina, or according to specifications approved by the division for district BMP's. The district shall be responsible for making an annual spot check of five percent of all the participating farms to ensure proper maintenance. Waste management systems will receive annual status reviews for five years following implementation.

(f) If the technical representative of the district determines that a BMP for which program funds were received has been destroyed or has not been properly maintained, the applicant will be notified that the BMP must be repaired or re-implemented within 30 working days. For vegetative practices, applicants are given one calendar year to re-establish the vegetation. The district may grant a prescribed extension period if it determines compliance can not be met due to circumstances beyond the applicants control.

(g) If the practices are not repaired or reimplemented within the specified time, the applicant shall be required to repay to the division a prorated refund for cost share BMP's as shown in Table 1 and 100 percent of the cost share incentive payments received.

Table 1
PRORATED REFUND SCHEDULE FOR NONCOMPLIANCE
OF COST SHARE PAYMENTS

Percent Age of Practice Life	Percent Refund
0	100
10	95
20	89
30	82
40	74
50	65
60	55
70	44
80	31
90	17
100	0

(h) An applicant, who has been found in noncompliance and who does not agree to repair or reimplement the cost shared practices, and a District may jointly request the commission to informally mediate the case. To invoke this method of mediation, both parties must stipulate that the commission mediation is binding.

(i) An applicant shall have a maximum of 180 days to make repayment to the division following the final appeals process.

(j) The inability to properly maintain cost shared practices

or the destruction of such practices through no fault of the applicant shall not be considered as noncompliance with the cost share agreement.

(k) When land under cost share agreement changes owners the new landowner shall be strongly encouraged by the district to continue and maintain practice(s) previously implemented.

*History Note: Authority G.S. 139-8; 143-215.74;
Eff. May 1, 1987;*

Amended Eff. July 1, 1992;

Recodified from 15A NCAC 6E .0007 Eff. December 20, 1996;

Amended Eff. November 1, 1997.

.0108 DISTRICT PROGRAM OPERATION

(a) As a component of the annual strategy plan developed by each district, both cropland and animal operations will be prioritized according to pollution potential. Technical and financial assistance will be targeted to facilitate BMP implementation on the identified critical areas.

(b) Priority by the district may be given to implementing systems of BMP's which provide the most cost effective reduction of nonpoint source pollution.

(c) All applicants shall apply to the district and complete the necessary forms in order to receive cost share payments.

(d) The district shall review each application and the feasibility of each application. The district shall review and approve the evaluation and assign priority for cost sharing. All applicants shall be informed of cost share approval or denial.

(e) Upon approval of the application by the district, the applicant and the district shall enter into a cost share agreement. The cost share agreement shall list the practices to be cost shared with state funds. The agreement shall also include the average cost of the recommended practice(s), cost incentive payment of the practice(s), and the expected implementation date of the practice(s). CPO's will be developed and become a part of the cost share agreement.

(f) Upon completion of practice(s) implementation, the technical representative of the district shall notify the district of compliance with design specifications.

(g) Upon notification, the district shall review the CPO. Upon approval, the district shall certify the practices in the CPO and notify the division to make payment to the applicant.

(h) Upon receipt of a quarterly statement from the district, the division shall reimburse to the district the appropriate amount for technical and clerical assistance.

(i) The district shall be responsible for and approve all BMP inspections as set forth in Rule .0107 (e) of this Subchapter to insure proper maintenance and continuation under the cost share agreement.

(j) Districts shall provide quarterly reports on program accomplishments to the commission on October 15, January 15, April 15 and an annual report on July 15.

(k) The district will be responsible for keeping appropriate records dealing with the program.

History Note: Authority G.S. 139-4; 139-8; 143-215.74; 143B-294;

Eff. May 1, 1987;

Recodified from 15A NCAC 6E .0008 Eff. December 20, 1996;

Amended Eff. November 1, 1997.

CHAPTER 7 - COASTAL MANAGEMENT

SUBCHAPTER 7H - STATE GUIDELINES FOR AREAS OF ENVIRONMENTAL CONCERN

SECTION .0300 - OCEAN HAZARD AREAS

.0304 AECs WITHIN OCEAN HAZARD AREAS

The ocean hazard system of AECs contains all of the following areas:

(1) Ocean Erodible Area. This is the area in which there exists a substantial possibility of excessive erosion and significant shoreline fluctuation. The seaward boundary of this area is the mean low water line. The landward extent of this area is determined as follows:

- (a) a distance landward from the first line of stable natural vegetation to the recession line that would be established by multiplying the long-term annual erosion rate times 60, provided that, where there has been no long-term erosion or the rate is less than two feet per year, this distance shall be set at 120 feet landward from the first line of stable natural vegetation. For the purposes of this Rule, the erosion rates shall be the long-term average based on available historical data. The current long-term average erosion rate data for each segment of the North Carolina coast is depicted on maps entitled "Long Term Annual Shoreline Change Rates updated through 1992" and approved by the Coastal Resources Commission on September 27, 1996 (except as such rates may be varied in individual contested cases, declaratory or interpretive rulings). The maps are available without cost from any local permit officer or the Division of Coastal Management; and
- (b) a distance landward from the recession line established in Sub-Item (1)(a) of this Rule to the recession line that would be generated by a storm having a one percent chance of being equaled or exceeded in any given year.

(2) The High Hazard Flood Area. This is the area subject to high velocity waters (including, but not limited to, hurricane wave wash) in a storm having a one percent chance of being equaled or exceeded in any given year, as identified as zone V1-30 on the flood insurance rate maps of the Federal Insurance Administration, U.S. Department of Housing and Urban Development.

(3) Inlet Hazard Area. The inlet hazard areas are natural-hazard areas that are especially vulnerable to erosion, flooding and other adverse effects of sand, wind, and water because of their proximity to dynamic ocean inlets. This area shall extend landward from the mean low water line a distance sufficient to encompass that area within which the inlet will, based on statistical analysis, migrate, and

shall consider such factors as previous inlet territory, structurally weak areas near the inlet (such as an unusually narrow barrier island, an unusually long channel feeding the inlet, or an overwash area), and external influences such as jetties and channelization. The areas identified as suggested Inlet Hazard Areas included in the report entitled INLET HAZARD AREAS, The Final Report and Recommendations to the Coastal Resources Commission, 1978, as amended in 1981, by Loie J. Priddy and Rick Carraway are incorporated by reference without future changes are hereby designated as Inlet Hazard Areas except that the Cape Fear Inlet Hazard Area as shown on said map shall not extend northeast of the Baldhead Island marina entrance channel. In all cases, this area shall be an extension of the adjacent ocean erodible area and in no case shall the width of the inlet hazard area be less than the width of the adjacent ocean erodible area. This report is available for inspection at the Department of Environment and Natural Resources, Division of Coastal Management, 2728 Capital Boulevard, Raleigh, North Carolina. Small scaled photo copies are available at no charge.

- (4) Unvegetated Beach Area. Beach areas within the Ocean Hazard Area where no stable natural vegetation is present may be designated as an unvegetated beach area on either a permanent or temporary basis:

- (a) An area appropriate for permanent designation as an unvegetated beach area is a dynamic area that is subject to rapid unpredictable landform change from wind and wave action. The areas in this category shall be designated following detailed studies by the Coastal Resources Commission. These areas shall be designated on maps approved by the Commission and available without cost from any local permit officer or the Division of Coastal Management.
- (b) An area that is suddenly unvegetated as a result of a hurricane or other major storm event may be designated as an unvegetated beach area for a specific period of time. At the expiration of the time specified by the Commission, the area shall return to its pre-storm designation. Areas appropriate for such designation are those in which vegetation has been lost over such a large land area that extrapolation of the vegetation line under the procedure set out in Rule .0305(e) of this Section is inappropriate.

The Commission designates as temporary unvegetated beach areas those oceanfront areas in New Hanover, Pender, Carteret and Onslow Counties in which the vegetation line as shown on

aerial photography dated August 8, 9, and 17, 1996, was destroyed as a result of Hurricane Fran on September 5, 1996. This designation shall continue until such time as stable, natural vegetation has reestablished or until the area is permanently designated as an unvegetated beach area pursuant to Sub-Item 4(a) of this Rule.

History Note: Authority G.S. 113A-107; 113A-113; 113A-124;
Eff. September 9, 1977;
Amended Eff. December 1, 1993; November 1, 1988;
September 1, 1986; December 1, 1985;
Temporary Amendment Eff. October 10, 1996;
Amended Eff. April 1, 1997;
Temporary Amendment Eff. October 10, 1996 Expired on July 29, 1997;
Temporary Amendment Eff. October 22, 1997;
Amended Eff. August 1, 1998.

CHAPTER 18 ENVIRONMENTAL HEALTH

SUBCHAPTER 18A - SANITATION

SECTION .1900 - SEWAGE TREATMENT AND DISPOSAL SYSTEMS

.1937 PERMITS

(a) Any person owning or controlling a residence, place of business, or place of public assembly containing water-using fixtures connected to a water supply source shall discharge all wastewater directly to an approved wastewater system permitted for that specific use.

(b) An Improvement Permit, Authorization for Wastewater System Construction (Construction Authorization) and Operation Permit, shall be required in accordance with G.S. 130A-336, G.S. 130A-337 and G.S. 130A-338. Rule .1949 of this Section shall be used to determine whether subsequent additions, modifications, or change in the type of facility increase wastewater flow or alter wastewater characteristics.

(c) An application for an Improvement Permit or Construction Authorization, as applicable, shall be submitted to the local health department for each site prior to the construction, location, or relocation of a residence, place of business, or place of public assembly. Applications for systems required to be designed by a professional engineer and applications for industrial process wastewater systems shall meet the provisions of Rule .1938 of this Section.

(d) The application for an Improvement Permit shall contain at least the following information: owner's name, mailing address, and phone number, location of property, plat of property or site plan, description of existing and proposed facilities or structures, number of bedrooms, or number of persons served, or other factors required to determine wastewater system design flow or wastewater characteristics, type of water supply including the location of proposed or

existing well(s), and signature of owner or owner's legal representative. The applicant shall identify property lines and fixed reference points in the field. The applicant shall make the site accessible for an evaluation as required in Rule .1939 of this Section. The applicant shall notify the local health department on the application of the following:

- (1) the property contains previously identified jurisdictional wetlands;
- (2) wastewater other than sewage will be generated; or
- (3) the site is subject to approval by other public agencies.

(e) The application for a Construction Authorization shall contain:

- (1) the information required in Paragraph (d) of this Rule; however, a plat or site plan shall not be required with the application for a Construction Authorization to repair a previously permitted system when the repairs will be accomplished on property owned and controlled by the applicant and for which the property lines are readily identifiable in the field;
- (2) the locations of the proposed facility, appurtenances, and the site for the system showing setbacks to property line(s) or other fixed reference point(s); and
- (3) the proposed system type as specified by the owner or owner's legal representative and that meets the conditions of the Improvement Permit, the provisions of these Rules, and G.S. 130A, Article 11.

(f) An authorized agent of DENR shall issue an Improvement Permit after determining that the site is suitable or provisionally suitable and that a system can be installed so as to meet the provisions of these Rules. The Improvement Permit shall include those items required in G.S. 130A-336(a). An Improvement Permit for which a plat is provided shall be valid without expiration and an Improvement Permit for which a site plan is provided shall be valid for 60 months from the date of issue as provided in G.S. 130A-335(f) and G.S. 130A-336(a). The Improvement Permit is transferable to subsequent owners except as provided in G.S. 130A-335(f) and G.S. 130A-336(a).

(g) The Construction Authorization as provided in G.S. 130A-335(f) and G.S. 130A-336(b) shall be valid for a period equal to the period of validity of the Improvement Permit, not to exceed 60 months. Site modifications required as conditions of an Improvement Permit shall be completed prior to the issuance of a Construction Authorization. The Construction Authorization shall be issued by an authorized agent for the installation of a wastewater system when it is found that the Improvement Permit conditions and rules of this Section are met. The Construction Authorization shall contain conditions regarding system type, system layout, location, and installation requirements. The property owner shall ensure that a Construction Authorization is obtained and is valid prior to the construction or repair of a system. The property owner shall obtain a Construction Authorization

prior to the construction, location, or relocation of a residence, place of business, or place of public assembly. If the installation has not been completed during the period of validity of the Construction Authorization, the information submitted in the application for a Permit or Construction Authorization is found to have been incorrect, falsified or changed, or the site is altered, the Permit or Construction Authorization shall become invalid, and may be suspended or revoked. When a Permit or Construction Authorization has become invalid, expired, suspended, or revoked, the installation shall not be commenced or completed until a new Permit or Construction Authorization has been obtained. Revised Construction Authorizations shall be issued for sites where Improvement Permits are valid without expiration in compliance with G.S. 130A-335(f1).

(h) Prior to the issuance of a Construction Authorization for a wastewater system to serve a condominium or other multiple-ownership development where the system will be under common or joint control, a draft agreement (tri-party) among the local health department, developer, and a proposed non-profit, incorporated owners association shall be submitted to the local health department for approval. Prior to the issuance of an Operation Permit for a system requiring a tri-party agreement, the agreement shall be executed among the local health department, developer, and a non-profit, incorporated owners association and filed with the local register of deeds. The tri-party agreement shall address ownership transfer of ownership, maintenance, repairs, operation, and the necessary funds for the continued satisfactory performance of the wastewater system, including collection, treatment, disposal, and other appurtenances.

(i) No residence, place of business, or place of public assembly shall be occupied nor shall any wastewater system be covered or placed into use until an authorized agent issues an Operation Permit. The Operation Permit shall not be issued or reissued until the authorized agent finds that the system is in compliance with Article 11 of G.S. Chapter 130A, these Rules, and all conditions prescribed by the Improvement Permit, and Construction Authorization. The Operation Permit shall specify the system type in accordance with Table V(a) of Rule .1961 of this Section, and shall include conditions for system performance, operation, maintenance, monitoring and reporting. At the review frequency specified in Rule .1961, Table V(a) of this Section, an authorized agent shall determine whether a system in compliance with the conditions of the Operation Permit, these Rules, and Article 11 of G.S. Chapter 130A. An authorized agent may modify, suspend or revoke the Operation Permit or seek other remedies under Article 2, Chapter 130A, if the system is not in compliance with Article 11 of G.S. Chapter 130A, these Rules, and all conditions imposed by the Operation Permit.

(j) For a Type V or VI system as specified in Rule .1961, Table V(a) of Paragraph (b)(9) of this Section, the Operation Permit shall expire either:

- (1) 60 months after the Operation Permit is issued for any system installed on or after the effective date of

these Rules, or

- (2) 60 months after the effective date of these Rules for any system with a valid Operation Permit issued prior to the effective date of these Rules.

(k) Upon determining that an existing wastewater system including all subsystems and system components in a manufactured home park has a valid Operation Permit and is in compliance with Article 11 of G.S. Chapter 130A, these Rules, and permit conditions, an authorized agent shall issue a written authorization for a manufactured home to be connected to the existing system.

(l) Any person other than the owner or controller of a residence, place of business, or place of public assembly, who engages in the business of constructing, installing, or repairing wastewater systems shall register with the local health department in each county where he operates before constructing, installing, or repairing wastewater systems.

(m) An authorized agent shall prepare a written report with reference to the site and soil conditions required to be evaluated pursuant to this Section. When a permit is denied, the report shall be provided to the applicant. If modifications or alternatives are available, information shall be provided to the applicant. The report shall be signed and dated by an authorized agent of the State.

History Note: Authority G.S. 130A-335(e) and (f);

Eff. July 1, 1982;

Amended Eff. August 1, 1991; January 1, 1990; January 1, 1984;

Temporary Amendment Eff. January 20, 1997;

Amended Eff. August 1, 1998.

.1961 MAINTENANCE OF SEWAGE SYSTEMS

(a) Any person owning or controlling the property upon which a ground absorption sewage treatment and disposal system is installed shall be responsible for the following items regarding the maintenance of the system:

- (1) Ground absorption sewage treatment and disposal systems shall be operated and maintained to prevent the following conditions:
- (A) a discharge of sewage or effluent to the surface of the ground, the surface waters, or directly into ground water at any time; or
 - (B) a back-up of sewage or effluent into the facility, building drains, collection system, or freeboard volume of the tanks; or
 - (C) a free liquid surface within three inches of finished grade over the nitrification trench for two or more observations made not less than 24 hours apart. Observations shall be made greater than 24 hours after a rainfall event.

The system shall be considered to be malfunctioning when it fails to meet one or more of these requirements, either continuously or intermittently, or if it is necessary to remove the contents of the tank(s) at a frequency greater than

once per month in order to satisfy the conditions of (A), (B), or (C) of this Paragraph. Legal remedies may be pursued after an authorized agent has observed and documented one or more of the malfunctioning conditions and has issued a notice of violation.

- (2) Ground absorption sewage treatment and disposal systems shall be checked, and the contents of the septic tank removed, periodically from all compartments, to ensure proper operation of the system. The contents shall be pumped whenever the solids level is found to be more than 1/3 of the liquid depth in any compartment.

(b) System management in accordance with Tables V(a) and V(b) of this Rule shall be required for all systems installed or repaired after July 1, 1992. After July 1, 1992, system management in accordance with Tables V(a) and V(b) shall be required for all existing Type V and Type VI systems.

(c) No Improvement Permit or Construction Authorization shall be issued for Type IV, Type V, or Type VI systems, unless a management entity of the type specified in Table V(b) is specifically authorized, funded, and operational to carry out this management program in the service area where the proposed system is to be located.

(d) A local health department may be the public management entity only for systems classified Type IV, V(a) and V(b) and only when specifically authorized by resolution of the local board of health.

(e) A contract shall be executed between the system owner and a management entity prior to the issuance of an Operation Permit for a system required to be maintained by a public or private management entity, unless the system owner and certified operator are the same. The contract shall include the specific requirements for maintenance and operation, responsibilities of the owner and system operator, provisions that the contract shall be in effect for as long as the system is in use, and other requirements for the continued proper performance of the system. It shall also be a condition of the Operation Permit that subsequent owners of the system execute such a contract.

(f) Inspections of the system shall be performed by a management entity at the frequency specified in Table V(b). The management entity shall report the results of their inspections to the local health department at the specified reporting frequency. However, where inspections indicate the need for system repairs, the management entity shall notify the local health department within 48 hours in order to obtain a Construction Authorization for the repairs.

(g) The management entity shall be responsible for assuring routine maintenance procedures and monitoring requirements in accordance with the conditions of the Operation Permit and the contract.

(h) Sewage systems with multiple components shall be classified by their highest or most complex system type in accordance with Table V to determine local health department and management entity responsibilities.

(i) Sewage systems not identified in this Rule shall be classified by the Division of Environmental Health after consultation with the appropriate commission governing operators of pollution control facilities.

(j) The local health department shall routinely review the performance and operation reports submitted in accordance

with Table V(b) of this Rule and shall perform an on-site inspection of the systems as required in Table V(a).

(k) The certified operator shall hold a valid and current certificate from the appropriate commission, and nothing in this Section shall preclude any requirements for system operators, in accordance with Article 3 of G.S. 90A.

TABLE V(a)

LOCAL HEALTH DEPARTMENT RESPONSIBILITIES

System Classification	System Description	Permits Required	Minimum System Review Frequency
Type I	a. Privy b. Chemical toilet c. Incinerating toilet d. Other toilet system e. Grease trap	Improvement Permit, Construction Authorization, and Operation Permit	N/A
Type II	a. Conventional septic system (single-family or 480 GPD or less) b. Conventional septic system with 750 linear feet of nitrification line or less c. Conventional system with shallow placement	Improvement Permit, Construction Authorization, and Operation Permit	N/A
Type III	a. Conventional septic system > 480 GPD (excluding single-family residence) b. Septic system with single effluent pump or siphon c. Gravity fill system d. Dual gravity field system e. PPBPS system, gravity dosed f. Large diameter pipe system g. Other non-conventional trench systems	Improvement Permit, Construction Authorization, and Operation Permit	5 yrs. (IIIb only)
Type IV	a. Any system with LPP distribution b. System with more than 1 pump or siphon	Improvement Permit, Construction Authorization, and Operation Permit	3 yrs.
Type V	a. Sand filter pretreatment system b. Any > 3,000-GPD septic tank system with a nitrification field designed for > 1500 GPD c. Aerobic Treatment Unit (ATU)	Improvement Permit, Construction Authorization, and Operation Permit	12 mos.

d. Other mechanical, biological,
or chemical pretreatment plant
(< 3000 GPD)

Type VI	a. Any > 3,000 GPD system with mechanical, biological, or chemical pretreatment system plant b. Wastewater reuse/recycle	Improvement Permit, Construction Authorization, and Operation Permit	6 mos.
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TABLE V(b)

MANAGEMENT ENTITY RESPONSIBILITIES

System Classification	Management Entity	Minimum System Inspection/Maintenance Frequency	Reporting Frequency
Type I	Owner	N/A	N/A
Type II	Owner	N/A	N/A
Type III	Owner	N/A	N/A
Type IV	Public Management Entity with a Certified Operator or a private Certified Operator	2/yr.	12 mos.
Type V	Public Management Entity With a Certified Operator or a private Certified Operator	a. 2/yr (0-1500 GPD) 4/yr (1500-3000 GPD) 12/yr (3000-10000 GPD) 1/wk (> 10000 GPD) b. 12/yr (3000-10000 GPD) 1/wk (> 10000 GPD) c. 4/yr. d. 12/yr.	6 mos.
Type VI	Public Management Entity With a Certified Operator	a. 1/wk(3000-10000 GPD) 2/wk(10000-25000 GPD) 3/wk(25000-50000 GPD) 5/wk(> 75000 GPD) b. 12/yr.	3 mos.

(l) A sewage collection, treatment, and disposal system that creates or has created a public health hazard or nuisance by surfacing of effluent or discharge directly into ground water or surface waters, or that is partially or totally destroyed shall be repaired within 30 days of notification by the state or local health department unless the notification otherwise specifies a repair period in writing. If a system described in the preceding sentence has for any reason been disconnected, the system shall be repaired prior to reuse. The state or local health department shall use its best professional judgement in requiring repairs that will reasonably enable the

system to function properly. If, for any reason, a sewage collection, treatment, and disposal system is found to be nonrepairable, or is no longer required, the system shall not be used, and may be required to have any contents removed, collapse any components and backfill, or otherwise secured as directed by the authorized agent to protect the public health and safety.

(m) When necessary to protect the public health, the state or local health department may require the owner or controller of a malfunctioning system to pump and haul sewage to an approved wastewater system during the time

needed to repair the system.

History Note: Filed as a Temporary Amendment Eff. July 3, 1991, for a Period of 180 Days to Expire on December 30, 1991;

Filed as a Temporary Amendment Eff. June 30, 1990, for a Period of 180 Days to Expire on December 27, 1990;

Authority G.S. 130A-335(e) and (f);

Eff. July 1, 1982;

Amended Eff. August 1, 1991; October 1, 1990; January 1, 1990; August 1, 1988;

Temporary Rule Amendment Eff. January 20, 1997;

Amended Eff. August 1, 1998.

CHAPTER 19 - HEALTH: EPIDEMIOLOGY

SUBCHAPTER 19A - COMMUNICABLE DISEASE CONTROL

SECTION .0100 - REPORTING OF COMMUNICABLE DISEASES

.0101 REPORTABLE DISEASES AND CONDITIONS

(a) The following named diseases and conditions are declared to be dangerous to the public health and are hereby made reportable within the time period specified after the disease or condition is reasonably suspected to exist:

- (1) acquired immune deficiency syndrome (AIDS) - 7 days;
- (2) anthrax - 24 hours;
- (3) botulism - 24 hours;
- (4) brucellosis - 7 days;
- (5) campylobacter infection - 24 hours;
- (6) chancroid - 24 hours;
- (7) chlamydial infection (laboratory confirmed) - 7 days;
- (8) cholera - 24 hours;
- (9) cryptosporidiosis - 24 hours;
- (10) cyclosporiasis - 24 hours;
- (11) dengue - 7 days;
- (12) diphtheria - 24 hours;
- (13) E. coli 0157:H7 infection - 24 hours;
- (14) ehrlichiosis - 7 days;
- (15) encephalitis, arboviral - 7 days;
- (16) enterococci, vancomycin-resistant, from normally sterile site - 7 days;
- (17) foodborne disease, including but not limited to *Clostridium perfringens*, staphylococcal, and *Bacillus cereus* - 24 hours;
- (18) gonorrhea - 24 hours;
- (19) granuloma inguinale - 24 hours;
- (20) *Haemophilus influenzae*, invasive disease - 24 hours;
- (21) Hemolytic-uremic syndrome/thrombotic thrombocytopenic purpura - 24 hours;
- (22) hepatitis A - 24 hours;
- (23) hepatitis B - 24 hours;

- (24) hepatitis B carriage - 7 days;
- (25) hepatitis C, acute - 7 days;
- (26) human immunodeficiency virus (HIV) infection confirmed - 7 days;
- (27) legionellosis - 7 days;
- (28) leptospirosis - 7 days;
- (29) Lyme disease - 7 days;
- (30) lymphogranuloma venereum - 7 days;
- (31) malaria - 7 days;
- (32) measles (rubeola) - 24 hours;
- (33) meningitis, pneumococcal - 7 days;
- (34) meningococcal disease - 24 hours;
- (35) mumps - 7 days;
- (36) nongonococcal urethritis - 7 days;
- (37) plague - 24 hours;
- (38) paralytic poliomyelitis - 24 hours;
- (39) psittacosis - 7 days;
- (40) Q fever - 7 days;
- (41) rabies, human - 24 hours;
- (42) Rocky Mountain spotted fever - 7 days;
- (43) rubella - 24 hours;
- (44) rubella congenital syndrome - 7 days;
- (45) salmonellosis - 24 hours;
- (46) shigellosis - 24 hours;
- (47) streptococcal infection, Group A, invasive disease - 7 days;
- (48) syphilis - 24 hours;
- (49) tetanus - 7 days;
- (50) toxic shock syndrome - 7 days;
- (51) toxoplasmosis, congenital - 7 days;
- (52) trichinosis - 7 days;
- (53) tuberculosis - 24 hours;
- (54) tularemia - 24 hours;
- (55) typhoid - 24 hours;
- (56) typhoid carriage (*Salmonella typhi*) - 7 days;
- (57) typhus, epidemic (louse-borne) - 7 days;
- (58) vibrio infection (other than cholera) - 24 hours;
- (59) whooping cough - 24 hours;
- (60) yellow fever - 7 days.

(b) For purposes of reporting; confirmed human immunodeficiency virus (HIV) infection is defined as a positive virus culture; repeatedly reactive EIA antibody test confirmed by western blot or indirect immunofluorescent antibody test; positive polymerase chain reaction (PCR) test; or other confirmed testing method approved by the Director of the State Public Health Laboratory conducted on or after February 1, 1990. In selecting additional tests for approval, the Director of the State Public Health Laboratory shall consider whether such tests have been approved by the federal Food and Drug Administration, recommended by the federal Centers for Disease Control and Prevention, and endorsed by the Association of State and Territorial Public Health Laboratory Directors.

(c) In addition to the laboratory reports for *Mycobacterium tuberculosis*, *Neisseria gonorrhoeae*, and syphilis specified in G.S. 130A-139, laboratories shall report:

- (1) Isolation or other specific identification of the

following organisms or their products from human clinical specimens:

- (A) Any hantavirus.
- (B) *Bacillus anthracis*, the cause of anthrax.
- (C) *Bordetella pertussis*, the cause of whooping cough (pertussis).
- (D) *Brucella spp.*, the causes of brucellosis.
- (E) *Campylobacter spp.*, the causes of campylobacteriosis.
- (F) *Clostridium botulinum*, a cause of botulism.
- (G) *Clostridium tetani*, the cause of tetanus.
- (H) *Corynebacterium diphtheriae*, the cause of diphtheria.
- (I) *Coxiella burnetii*, the cause of Q fever.
- (J) *Cryptosporidium parvum*, the cause of human cryptosporidiosis.
- (K) *Cyclospora cayetanensis*, the cause of cyclosporiasis.
- (L) *Ehrlichia spp.*, the causes of ehrlichiosis.
- (M) *Escherichia coli* O157:H7, a cause of hemorrhagic colitis, hemolytic uremic syndrome, and thrombotic thrombocytopenic purpura.
- (N) *Francisella tularensis*, the cause of tularemia.
- (O) Hepatitis B virus or any component thereof, such as hepatitis B surface antigen.
- (P) Human Immunodeficiency Virus, the virus associated with AIDS.
- (Q) *Legionella spp.*, the causes of legionellosis.
- (R) *Leptospira spp.*, the causes of leptospirosis.
- (S) Rabies virus.
- (T) *Rickettsia rickettsii*, the cause of Rocky Mountain spotted fever.
- (U) *Salmonella spp.*, the causes of salmonellosis.
- (V) *Shigella spp.*, the causes of shigellosis.
- (W) *Trichinella spiralis*, the cause of trichinosis.
- (X) *Vibrio spp.*, the causes of cholera and other vibrioses.
- (Y) *Yersinia pestis*, the cause of plague.
- (2) Isolation or other specific identification of the following organisms from normally sterile human body sites:
 - (A) Group A *Streptococcus pyogenes* (group A streptococci).
 - (B) *Haemophilus influenzae*, serotype b.
 - (C) *Neisseria meningitidis*, the cause of meningococcal disease.
 - (D) Vancomycin-resistant *Enterococcus spp.*
- (3) Positive serologic test results, as specified, for the following infections:
 - (A) Fourfold or greater changes or equivalent changes in serum antibody titers to:
 - (i) Any arthropod-borne viruses associated with meningitis or encephalitis in a human.
 - (ii) Any hantavirus.

- (iii) *Chlamydia psittaci*, the cause of psittacosis.
- (iv) *Coxiella burnetii*, the cause of Q fever.
- (v) Dengue virus.
- (vi) *Ehrlichia spp.*, the causes of ehrlichiosis.
- (vii) Measles (rubeola) virus.
- (viii) Mumps virus.
- (ix) *Rickettsia rickettsii*, the cause of Rocky Mountain spotted fever.
- (x) Rubella virus.
- (B) The presence of IgM serum antibodies to:
 - (i) Hepatitis A virus.
 - (ii) Hepatitis B virus core antigen.
 - (iii) Rubella virus.
 - (iv) Rubeola (measles) virus.

History Note: Filed as a Temporary Rule Eff. February 1, 1988, for a period of 180 days to expire on July 29, 1988; Authority G.S. 130A-134; 130A-135; 130A-139; 130A-141; Eff. March 1, 1988; Amended Eff. October 1, 1994; February 1, 1990. Temporary Amendment Eff. July 1, 1997; Amended Eff. August 1, 1998.

.0102 METHOD OF REPORTING

(a) When a report of a disease or condition is required to be made pursuant to G.S. 130A-135 through 139 and 15A NCAC 19A .0101, the report shall be made to the local health director as follows:

- (1) For diseases and conditions required to be reported within 24 hours, the initial report shall be made by telephone, and the report required by Subparagraph (2) of this Paragraph shall be made within seven days.
- (2) In addition to the requirements of Subparagraph (1) of this Paragraph, the report shall be made on the communicable disease report card or in an electronic format provided by the Division of Epidemiology and shall include the name and address of the patient, the name and address of any minor's parent or guardian, and all other pertinent epidemiologic information.
- (3) Until September 1, 1994, reports of cases of confirmed HIV infection identified by anonymous tests that are conducted at HIV testing sites designated by the State Health Director pursuant to 15A NCAC 19A .0202(10) shall be made on forms provided by the Department for that purpose. No communicable disease report card shall be required. Effective September 1, 1994, anonymous testing shall be discontinued and all cases of confirmed HIV infection shall be reported in accordance with 15A NCAC 19A .0102(a)(1) and (2).
- (4) In addition to the requirements of Subparagraphs (1) and (2) of this Paragraph, forms or electronic

formats provided by the Division of Epidemiology for collection of information necessary for disease control and documentation of clinical and epidemiologic information about the cases shall be completed and submitted for the reportable diseases and conditions identified in 15A NCAC 19A .0101(1), (4), (13), (20), (21), (22), (23), (24), (25), (26), (27), (28), (29), (31), (32), (33), (34), (35), (38), (39), (42), (43), (44), (49), (50), (52), (53), (54), (55), (56), and (59).

- (5) Communicable disease report cards, surveillance forms, and electronic formats are available from the Surveillance Unit, N.C. Division of Epidemiology, P.O. Box 29601, Raleigh, NC 27626-0601, (919) 733-3419, and from local health departments.

(b) Notwithstanding the time frames established in 15A NCAC 19A .0101 a restaurant or other food or drink establishment shall report all outbreaks or suspected outbreaks of foodborne illness in its customers or employees and all suspected cases of foodborne disease or foodborne condition in food-handlers at the establishment by telephone to the local health department within 24 hours in accordance with Subparagraph (a)(1) of this Rule. However, the establishment is not required to submit a report card or surveillance form pursuant to Subparagraphs (a)(2) and (a)(4) of this Rule.

(c) For the purposes of reporting by restaurants and other food or drink establishments pursuant to G.S. 130A-138, the diseases and conditions to be reported shall be those listed in 15A NCAC 19A .0101(3), (5), (8), (9), (12), (16), (21), (44), (45), (51), (54), (55), and (57).

(d) Laboratories required to report test results pursuant to G.S. 130A-139 and 15A NCAC 19A .0101(c) shall report as follows:

- (1) The results of the specified tests for syphilis and gonorrhea shall be reported to the local health department by the first and fifteenth of each month. Reports of the results of the specified tests for gonorrhea and syphilis shall include the specimen collection date, the patient's age, race, and sex, and the submitting physician's name, address, and telephone numbers.
- (2) Positive darkfield examinations for syphilis and STS titers of 1:16 and above shall be reported within 24 hours by telephone to the HIV/STD Control Branch at (919) 733-7301, or the HIV/STD Control Branch Regional Office where the laboratory is located.
- (3) With the exception of positive laboratory tests for human immunodeficiency virus, positive laboratory tests as defined in G.S. 130A-139(1) and 15A NCAC 19A .0101(c) shall be reported to the General Communicable Disease Control Section within the time periods specified for each reportable disease or condition in 15A NCAC 19A .0101(a). Confirmed positive laboratory tests for human immunodeficiency virus as defined in 15A

NCAC 19A .0101(b) shall be reported to the HIV/STD Control Section within seven days of obtaining reportable test results. Reports shall include as much of the following information as the laboratory possesses: the specific name of the test performed; the source of the specimen; the collection date(s); the patient's name, age, race, and sex; and the submitting physician's name, address, and telephone number.

History Note: Filed as a Temporary Amendment Eff. December 16, 1994, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;

Filed as a Temporary Rule Eff. February 1, 1988, for a period of 180 days to expire on July 29, 1988;

Authority G.S. 130A-134; 130A-135; 130A-138; 130A-139; 130A-141;

Eff. March 1, 1988;

Amended Eff. October 1, 1994; February 3, 1992; December 1, 1991; May 1, 1991;

Temporary Amendment Expired June 16, 1995;

Amended Eff. August 1, 1998.

SECTION .0200 - CONTROL MEASURES FOR COMMUNICABLE DISEASES

.0201 CONTROL MEASURES - GENERAL

(a) Except as provided in Rules .0202 - .0209 of this Section, the recommendations and guidelines for testing, diagnosis, treatment, follow-up, and prevention of transmission for each disease and condition specified by the American Public Health Association in its publication, Control of Communicable Diseases Manual shall be the required control measures. Control of Communicable Diseases Manual is hereby incorporated by reference including subsequent amendments and editions. Copies of this publication may be purchased from the American Public Health Association, Publication Sales Department, Post Office Box 753, Waldora, MD 20604 for a cost of twenty-two dollars (\$22.00) each plus five dollars (\$5.00) shipping and handling. A copy is available for inspection in the Communicable Disease Control Section, Cooper Memorial Health Building, 225 N. McDowell Street, Raleigh, North Carolina 27603-1382.

(b) In interpreting and implementing the specific control measures adopted in Paragraph (a) of this Rule, and in devising control measures for outbreaks designated by the State Health Director and for communicable diseases and conditions for which a specific control measure is not provided by this Rule, the following principles shall be used:

- (1) control measures shall be those which can reasonably be expected to decrease the risk of transmission and which are consistent with recent scientific and public health information;
- (2) for diseases or conditions transmitted by the airborne route, the control measures shall require physical isolation for the duration of infectivity;

- (3) for diseases or conditions transmitted by the fecal-oral route, the control measures shall require exclusions from situations in which transmission can be reasonably expected to occur, such as work as a paid or voluntary food handler or attendance or work in a day care center for the duration of infectivity;
- (4) for diseases or conditions transmitted by sexual or the blood-borne route, control measures shall require prohibition of donation of blood, tissue, organs, or semen, needle-sharing, and sexual contact in a manner likely to result in transmission for the duration of infectivity.

(c) Persons with congenital rubella syndrome, tuberculosis, and carriers of *Salmonella typhi* and hepatitis B who change residence to a different local health department jurisdiction shall notify the local health director in both jurisdictions.

(d) Isolation and quarantine orders for communicable diseases and communicable conditions for which control measures have been established shall require compliance with applicable control measures and shall state penalties for failure to comply. These isolation and quarantine orders may be no more restrictive than the applicable control measures.

(e) An individual enrolled in an epidemiologic or clinical study shall not be required to meet the provisions of 15A NCAC 19A .0201 - .0209 which conflict with the study protocol if:

- (1) the protocol is approved for this purpose by the State Health Director because of the scientific and public health value of the study, and
- (2) the individual fully participates in and completes the study.

History Note: Filed as a Temporary Rule Eff. February 1, 1988, for a period of 180 days to expire on July 29, 1988;

Authority G.S. 130A-135; 130A-144;

Eff. March 1, 1988;

Amended Eff. February 1, 1990; November 1, 1989; August 1, 1988;

Recodified Paragraphs (d), (e) to Rule .0202, Paragraph (i) to Rule .0203 Eff. June 11, 1991;

Amended Eff. August 1, 1998; October 1, 1992; December 1, 1991.

.0203 CONTROL MEASURES - HEPATITIS B

(a) The following are the control measures for hepatitis B infection. The infected persons shall:

- (1) refrain from sexual intercourse unless condoms are used except when the partner is known to be infected with or immune to hepatitis B;
- (2) not share needles or syringes;
- (3) not donate or sell blood, plasma, platelets, other blood products, semen, ova, tissues, organs, or breast milk;
- (4) if the time of initial infection is known, identify to the local health director all sexual intercourse and

needle partners since the date of infection; and, if the date of initial infection is unknown, identify persons who have been sexual intercourse or needle partners during the previous six months;

- (5) for the duration of the infection, notify future sexual intercourse partners of the infection and refer them to their attending physician or the local health director for control measures;
- (6) be tested six months after diagnosis to determine if they are chronic carriers, annually for two years thereafter if they remain infected, and when necessary to determine appropriate control measures for persons exposed pursuant to Paragraph (b) of this Rule.

(b) The following are the control measures for persons reasonably suspected of being exposed:

- (1) when a person has had sexual intercourse exposure to hepatitis B infection, the person shall be given hepatitis B immune globulin or immune globulin, 0.06 ml/kg, IM as soon as possible but no later than two weeks after the last exposure;
- (2) when a person is a household contact, sexual intercourse or needle sharing contact of a person who has remained infected with hepatitis B for six months or longer, the partner or household contact, if susceptible and at risk of continued exposure, shall be vaccinated against hepatitis B;
- (3) when a health care worker or other person has a needlestick, non-intact skin, or mucous membrane exposure to blood or body fluids that, if the source were infected with the hepatitis B virus, would pose a significant risk of hepatitis B transmission, the following shall apply:

(A) when the source is known, the source person shall be tested for hepatitis B infection, unless already known to be infected;

(B) when the source is infected with hepatitis B and the exposed person is:

- (i) vaccinated, the exposed person shall be tested for anti-HBs. If anti-HBs is less than ten SRU by RIA or negative by EIA, the exposed person shall be given hepatitis B immune globulin, 0.06 ml/kg, IM immediately and a single dose of hepatitis B vaccine within seven days;
- (ii) not vaccinated, the exposed person shall be given hepatitis B immune globulin, 0.06 ml/kg, IM immediately and, if at high risk for future exposure, begin vaccination with hepatitis B vaccine within seven days;

(C) when the source is unknown and the exposed person is:

- (i) vaccinated, no intervention is necessary;
- (ii) not vaccinated, begin vaccination with

hepatitis B vaccine within seven days if at high risk for future exposure.

- (4) infants born to infected mothers shall be given hepatitis B immune globulin, 0.5 ml, IM as soon as maternal infection is known and infant is stabilized; vaccinated against hepatitis B beginning as soon as possible; and tested for HBsAg at 12-15 months of age.

(c) The attending physician shall advise all patients known to be at high risk, including injection drug users, men who have sex with men, hemodialysis patients, and patients who receive frequent transfusions of blood products, that they should be vaccinated against hepatitis B if susceptible.

(d) The following persons shall be tested for hepatitis B infection:

- (1) pregnant women unless known to be infected; and
- (2) donors of blood, plasma, platelets, other blood products, semen, ova, tissues, or organs.

(e) The attending physician of a child who is infected with hepatitis B virus and who may pose a significant risk of transmission in the school or day care setting because of open, oozing wounds or because of behavioral abnormalities such as biting shall notify the local health director. The local health director shall consult with the attending physician and investigate the circumstances.

(f) If the child referred to in Paragraph (e) of this Rule is in school or scheduled for admission and the local health director determines that there may be a significant risk of transmission, the local health director shall consult with an interdisciplinary committee, which shall include school personnel, a medical expert, and the child's parent or guardian to assist in the investigation and determination of risk. The local health director shall notify the superintendent or private school director of the need to appoint such an interdisciplinary committee. If the superintendent or private school director establishes such a committee within three days of notification, the local health director shall consult with this committee. If the superintendent or private school director does not establish such a committee within three days of notification, the local health director shall establish such a committee.

(g) If the child referred to in Paragraph (e) of this Rule is in school or scheduled for admission and the local health director determines, after consultation with the committee, that a significant risk of transmission exists, the local health director shall:

- (1) notify the parents;
- (2) notify the committee;
- (3) assist the committee in determining whether an adjustment can be made to the student's school program to eliminate significant risks of transmission;
- (4) determine if an alternative educational setting is necessary to protect the public health;
- (5) instruct the superintendent or private school director concerning appropriate protective measures to be implemented in the alternative educational

- (6) setting developed by school personnel; and
- (6) consult with the superintendent or private school director to determine which school personnel directly involved with the child need to be notified of the hepatitis B virus infection in order to prevent transmission and ensure that these persons are instructed regarding the necessity for protecting confidentiality.

(h) If the child referred to in Paragraph (e) of this Rule is in day care and the local health director determines that there is a significant risk of transmission, the local health director shall notify the parents that the child must be placed in an alternate child care setting that eliminates the significant risk of transmission.

History Note: Authority G.S. 130A-135; 130A-144;

Eff. February 1, 1990;

Amended Eff. October 1, 1990;

Recodified from 15A NCAC 19A .0201(i) Eff. June 11, 1991;

Amended Eff. August 1, 1998; October 1, 1994.

.0205 CONTROL MEASURES - TUBERCULOSIS

(a) The local health director shall promptly investigate all cases of tuberculosis disease and their contacts in accordance with the provisions of Control of Communicable Diseases Manual. Control of Communicable Diseases Manual is hereby incorporated by reference including subsequent amendments and editions. Copies of this publication may be purchased from the American Public Health Association, Publication Sales Department, Post Office Box 753, Waldora, MD 20604 for a cost of twenty-two dollars (\$22.00) each plus five dollars (\$5.00) shipping and handling. A copy is available for inspection in the Communicable Disease Control Section, Cooper Memorial Health Building, 225 N. McDowell Street, Raleigh, North Carolina 27603-1382.

(b) The following persons shall be skin tested for tuberculosis and given appropriate clinical, microbiologic and x-ray examination in accordance with the "Diagnostic Standards and Classification of Tuberculosis," published by the American Thoracic Society. The recommendations contained in this reference shall be the required control measures for evaluation, testing, and diagnosis for tuberculosis patients, contacts and suspects, except as otherwise provided in this Rule and are incorporated by reference including subsequent amendments and editions:

- (1) Household and other close contacts of active cases of pulmonary and laryngeal tuberculosis. If the initial skin test is negative (0-4mm), and the case is confirmed by culture, a repeat skin test shall be performed three months after the exposure has ended;
- (2) Persons reasonably suspected of having tuberculosis disease;
- (3) Inmates in the custody of, and staff with direct inmate contact in, the Department of Corrections upon incarceration or employment, and annually thereafter;

- (4) Patients and staff in long term care facilities upon admission or employment. The two-step skin test method shall be used if the individual has not had a documented tuberculin skin test within the preceding 12 months;
- (5) Staff in adult day care centers providing care for persons with HIV infection or AIDS upon employment. The two-step skin test method shall be used if the individual has not had a documented tuberculin skin test within the preceding 12 months;
- (6) Persons with HIV infection or AIDS.

A copy of "Diagnostic Standards and Classification of Tuberculosis" is available, at no charge, by contacting the Department of Environment, Health, and Natural Resources, Tuberculosis Control Branch, Post Office Box 29601, Raleigh, North Carolina 27626-0601.

(c) Treatment and follow-up for tuberculosis infection or disease shall be in accordance with "Treatment of Tuberculosis and Tuberculosis Infection in Adults and Children," published by the American Thoracic Society. The recommendations contained in this reference shall be the required control measures for testing, treatment, and follow-up for tuberculosis patients, contacts and suspects, except as otherwise provided in this Rule and are incorporated by reference including subsequent amendments and editions. Copies of this publication are available, at no charge, by contacting the Department of Environment and Natural Resources, Tuberculosis Control Branch, Post Office Box 29601, Raleigh, North Carolina 27626-0601.

(d) The attending physician or designee shall instruct all patients treated for tuberculosis regarding the potential side effects of the medications prescribed and to promptly notify the physician or designee if side effects occur.

(e) Persons with active tuberculosis disease shall complete a standard drug regimen from "Treatment of Tuberculosis and Tuberculosis Infections in Adults and Children."

(f) Persons with suspected or known active pulmonary or laryngeal tuberculosis are considered infectious and shall be managed using airborne precautions, including respiratory isolation, or quarantined in their home, with no new persons exposed, if:

- (1) They have sputum smears which are positive for acid fast bacilli; and
- (2) They have not received tuberculosis drug therapy or have just started therapy; and
- (3) They have no evidence of clinical response or have poor clinical response to therapy.

(g) Persons with suspected or known active pulmonary or laryngeal tuberculosis are considered noninfectious and use of airborne precautions, including respiratory isolation, or quarantine in their home may be discontinued when:

- (1) They have three consecutive daily sputum smears which are negative; or
- (2) They have been compliant on tuberculosis medications to which the organism is judged to be susceptible, there is evidence of clinical

improvement on the therapy, and the environment to which they are being released is such that transmission of tuberculosis organisms is unlikely.

History Note: Authority G.S. 130A-135; 130A-144; Eff. March 1, 1992;

Amended Eff. August 1, 1998; October 1, 1994.

TITLE 16 - DEPARTMENT OF PUBLIC EDUCATION

CHAPTER 6 - ELEMENTARY AND SECONDARY EDUCATION

SUBCHAPTER 6G - EDUCATION AGENCY RELATIONS

SECTION .0300 - PERFORMANCE-BASED ACCOUNTABILITY PROGRAM

.0309 SUSPENSION OF POWERS AND DUTIES OF SCHOOL BOARDS

Before the SBE suspends any of the powers and duties of a local board of education pursuant to the provisions of G.S. 115C-39(b) and G.S. 115C-105.32(d), the SBE shall provide written notice to the local board of the reasons for which it is considering suspending those powers and duties. If the local board fails to remedy the reasons presented to it by the SBE within 60 days after receiving written notice, the SBE shall enter an order that incorporates the reasons for suspending the powers and duties, the efforts that the local board has made to remedy those reasons, and the period of time during which those powers and duties shall be suspended. Within the first 45 days following the SBE's notification to the local board, the SBE shall provide the local board an opportunity to present a response in an attempt to reach agreement.

History Note: Authority G.S. 115C-12(9)c4; Eff. November 1, 1997.

TITLE 21 - OCCUPATIONAL LICENSING BOARDS

CHAPTER 16 - BOARD OF DENTAL EXAMINERS

SUBCHAPTER 16I - ANNUAL RENEWAL OF DENTAL HYGIENIST LICENSE

.0001 APPLICATIONS

An application form for a dental hygiene renewal certificate shall be adopted from time to time by the Board and shall be designed to obtain information that the Board deems necessary and requisite as required by law. A renewal application must be submitted to the Board's office on or before January 1 of each year. All applications submitted to the Board must be completed in full.

*History Note: Authority G.S. 90-227;
Eff. September 3, 1976;
Readopted Eff. September 26, 1977;
Amended Eff. August 1, 1998; May 1, 1989.*

SUBCHAPTER 16M - FEES PAYABLE

.0003 PRIMARY SOURCE VERIFICATION FEE

All primary source verification requests must be in writing.
Primary source verifications shall be provided in writing only
for a fee of fifteen dollars (\$15.00).

*History Note: Authority G.S. 150B-19(5);
Eff. August 1, 1998.*

RULES REVIEW COMMISSION MEMBERS

Appointed by Senate
Philip O. Redwine - Chairman
Jim Funderburke
Vernice B. Howard
Teresa L. Smallwood
David Twiddy

Appointed by House
Paul Powell - Vice Chairman
Mark Garside
Steve Rader
George Robinson
Anita White

RULES REVIEW COMMISSION MEETING DATES

November 20, 1997
December 18, 1997

January 15, 1998
February 19, 1998

The NC Rules Review Commission is considering adopting the following rule:

**RULE #10
FILING RECEIPTS**

- (a) When an agency files a permanent rule for which there is a temporary rule it shall obtain a dated and signed receipt from the RRC.
- (b) When an agency files any other permanent rule, it may obtain a dated and signed receipt from the RRC.
- (c) If the agency fails to obtain a receipt, the date of filing shall be considered the next 20th day of the month.

Written comment may be submitted to:

Joseph J. DeLuca, Jr., Staff Director
NC Rules Review Commission
1307 Glenwood Ave. #159
Raleigh, NC 27605

The deadline for submitting such comment is Monday, December 15, 1997.

A public hearing on the above rule is tentatively scheduled at the conclusion of the November 20, 1997 Rules Review Commission meeting, convening at 10:00 a.m.

Agency staff comment:

According to N.C.G.S. 150B-21.1(d)(5) a temporary rule expires 270 days after it was published in the North Carolina Register (NCR) unless the proposed permanent rule has been filed with the RRC. Recently some temporary rules have expired for failure to file the permanent rule on time. (Note that expiration of the temporary rule does not extinguish the permanent rulemaking. An agency may continue with its permanent rulemaking even though its temporary rule may have expired.) We have not normally noted the filing date with us of any rules; we simply accumulate them until the 20th of the month and then prepare the log for the following month.

Staff has proposed that the commission adopt a rule requiring agencies to obtain a filing receipt when filing a permanent rule replacing a temporary rule and permitting them to obtain a receipt for any other rule filing. Please note that there has never been an issue of whether or not a rule was filed with us or when precisely it was filed. We would like to keep it that way. To that end we have proposed the above rule.

RULES REVIEW OBJECTIONS

COMMERCE

Credit Union Division

4 NCAC 6C .0407 - Business Loans	RRC Objection	08/21/97
Agency Revised Rule	Obj. Removed	09/18/97

DENTAL EXAMINERS

21 NCAC 16I .0001 - Applications	RRC Objection	09/18/97
Agency Revised Rule	Obj. Removed	10/16/97
21 NCAC 16M .0003 - Primary Source Verification Fee	RRC Objection	09/18/97
Agency Revised Rule	Obj. Removed	10/16/97

ENVIRONMENT, HEALTH, AND NATURAL RESOURCES

Coastal Resources Commission

15A NCAC 7H .0208 - Use Standards	RRC Objection	08/21/97
Agency Revised Rule	Obj. Removed	09/18/97
15A NCAC 7H .1204 - General Conditions	RRC Objection	08/21/97
Agency Revised Rule	Obj. Removed	09/18/97

Health Services

15A NCAC 18A .1938 - Responsibilities	RRC Objection	10/16/97
15A NCAC 18A .1958 - Non-Ground Absorption Sewage Treatment Systems	RRC Objection	10/16/97

Soil and Water Conservation

15A NCAC 6E .0104 - Best Management Practices Eligible for Cost Share Payments	RRC Objection	10/16/97
15A NCAC 6E .0105 - Cost Share and Incentive Payments	RRC Objection	10/16/97

Water Pollution Controls Systems

15A NCAC 8F .0201 - Duties and Requirements of Owners	RRC Objection	09/18/97
No Response from Agency	Obj. Cont'd	10/16/97
15A NCAC 8F .0203 - Duties and Requirements of an Operator in Charge	RRC Objection	09/18/97
No Response from Agency	Obj. Cont'd	10/16/97

HUMAN RESOURCES

Facility Services

10 NCAC 3D .2001 - Definitions	RRC Objection	10/16/97
10 NCAC 3D .2101 - Level I Trauma Center Criteria	RRC Objection	10/16/97
10 NCAC 3D .2102 - Level II Trauma Center Criteria	RRC Objection	10/16/97
10 NCAC 3D .2105 - Initial Designation Process	RRC Objection	10/16/97
10 NCAC 3D .2106 - Renewal Designation Process	RRC Objection	10/16/97
10 NCAC 3D .2201 - Denial, Probation, Vol. Withdrawal/Rev/Trauma Ctr Designation	RRC Objection	10/16/97
10 NCAC 3D .2303 - Regional Trauma System Policy Development	RRC Objection	10/16/97

Medical Assistance

10 NCAC 26B .0113 - NC Medicaid Criteria/Cont'd Acute Stay/Inpatient Psych. Facility		
Rule Withdrawn by Agency		09/18/97

Social Services Commission

10 NCAC 42J .0005 - Funding for Medical Services	RRC Objection	08/21/97
Agency Revised Rule	Obj. Removed	09/18/97

PUBLIC INSTRUCTION

16 NCAC 6C .0307 - Certificate Renewal	RRC Objection	10/16/97
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RULES REVIEW COMMISSION

<i>16 NCAC 6D .0103 - Graduation Requirements</i>	<i>RRC Objection</i>	<i>10/16/97</i>
<i>16 NCAC 6D .0301 - Testing Requirements and Opportunities</i>	<i>RRC Objection</i>	<i>10/16/97</i>
<i>16 NCAC 6G .0305 - End-of-Course Tests</i>	<i>RRC Objection</i>	<i>10/16/97</i>
<i>16 NCAC 6G .0306 - Testing Code of Ethics</i>	<i>RRC Objection</i>	<i>10/16/97</i>
<i>16 NCAC 6G .0307 - Assistance Teams</i>	<i>RRC Objection</i>	<i>10/16/97</i>
<i>16 NCAC 6G .0308 - Due Process Protections</i>	<i>RRC Objection</i>	<i>10/16/97</i>

CONTESTED CASE DECISIONS

This Section contains the full text of some of the more significant Administrative Law Judge decisions along with an index to all recent contested cases decisions which are filed under North Carolina's Administrative Procedure Act. Copies of the decisions listed in the index and not published are available upon request for a minimal charge by contacting the Office of Administrative Hearings, (919) 733-2698.

OFFICE OF ADMINISTRATIVE HEARINGS

Chief Administrative Law Judge
JULIAN MANN, III

Senior Administrative Law Judge
FRED G. MORRISON JR.

ADMINISTRATIVE LAW JUDGES

Brenda B. Becton
Sammie Chess Jr.
Beecher R. Gray

Meg Scott Phipps
Robert Roosevelt Reilly Jr.
Dolores O. Smith

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
ADMINISTRATION				
E. Edward Gambill v. Department of Administration	97 DOA 0364	Reilly	09/10/97	
ALCOHOLIC BEVERAGE CONTROL COMMISSION				
Michael's Mini Mart v. Alcoholic Beverage Control Commission	92 ABC 1601	Gray	08/18/97	
Everette Craig Hornbuckle v. Alcoholic Beverage Control Commission	93 ABC 0987	Gray	08/18/97	
Saleh Ahmed Ali Futhah v. Alcoholic Beverage Control Commission	94 ABC 0264	Gray	08/18/97	
Carolyn T. Ray v. Alcoholic Beverage Control Commission	95 ABC 0429	Gray	09/23/97	
Alcoholic Beverage Control Commission v. Fast Fare, Inc.	96 ABC 0483	Morrison	06/18/97	
Alcoholic Beverage Control Commission v. Mendoza Enterprises, Inc.	96 ABC 1196	Gray	08/26/97	
Paul Tyler IV Enterprises, Inc., Alpha Vinson T/A Mirrors (Sid's Showgirls) v. Alcoholic Beverage Control Commission	96 ABC 1804	Morrison	09/29/97	
and City of Goldsboro and Gurnan Khara				
Nasar Sader v. Alcoholic Beverage Control Commission	97 ABC 0030	Phipps	10/08/97	
Alcoholic Beverage Control Commission v. Paradise Landing, Inc.	97 ABC 0031	Gray	06/13/97	
OFFISS, Inc. v. Alcoholic Beverage Control Commission	97 ABC 0118	Gray	09/17/97	
Alcoholic Beverage Control Commission v. Altaf Hussain	97 ABC 0312	Mann	07/29/97	
Alcoholic Beverage Control Commission v. Robert Johnson	97 ABC 0321	Gray	08/25/97	
Alcoholic Beverage Control Commission v. Masonboro County Store, Inc.	97 ABC 0432	Reilly	09/09/97	
Daniel Gary Ledbetter v. Alcoholic Beverage Control Commission	97 ABC 0443	Gray	07/08/97	
Alcoholic Beverage Control Comm. v. Raymond Lee	97 ABC 0488	Smith	10/30/97	
Alcoholic Beverage Control Comm. v. Percy Daniel Bowen	97 ABC 0495	Morrison	09/24/97	
Alcoholic Beverage Control Commission v. Bridgette Dee Williams	97 ABC 0576	Phipps	09/04/97	
Alcoholic Beverage Control Commission v. Westside Tavern, Inc.	97 ABC 0586	Phipps	09/17/97	
Alcoholic Beverage Control Commission v. Grove Park Inn Resort, Inc.	97 ABC 0706	Morrison	09/15/97	12:07 NCR 609
Alcoholic Beverage Control Commission v. Kimberly Loelette Hankins	97 ABC 0897	Gray	10/06/97	
CORRECTION				
David M. Boone v. Correction, Div. of Prison Admin. Remedy Procedure	97 DOC 0534	Morrison	06/16/97	
CRIME CONTROL AND PUBLIC SAFETY				
Della Sherrod v. Crime Victims Compensation Commission	96 CPS 0300	Chess	07/18/97	
Mary A. Kearney v. CPS, Victims Compensation Commission	96 CPS 2033	Becton	09/26/97	
Mae Allen Murray v. Crime Victims Compensation Commission	96 CPS 2110	Chess	10/31/97	
Beverly McLaughlin v. Crime Victims Compensation Commission	97 CPS 0170	Phipps	08/29/97	
Malcolm W. Fields v. Crime Victims Compensation Commission	97 CPS 0360	Chess	09/12/97	
Rodney P. Hodge v. Crime Victims Compensation Commission	97 CPS 0449	Reilly	07/01/97	

CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Billy Steen v. Crime Victims Compensation Commission	97 CPS 0472	Morrison	07/23/97	
Clifford R. Pulley v. Crime Victims Compensation Commission	97 CPS 0523	Gray	08/06/97	
Curtis Jermaine Newkirk v. Crime Victims Compensation Commission	97 CPS 0645	Morrison	10/03/97	
Gregory Bynum v. Crime Victims Compensation Commission	97 CPS 0901	Reilly	10/16/97	
Lisa S. Snead v. Crime Victims Compensation Commission	97 CPS 1025	Reilly	11/10/97	
Robert T. Blakeney v. Office of Administrative Hearings	97 CPS 1187	Becton	11/07/97	
ENVIRONMENT, HEALTH, AND NATURAL RESOURCES				
Herbert C. Avery v. Environment, Health, and Natural Resources	96 EHR 0161	Chess	09/23/97	
Linda Collie v. Lenoir County Health Department	96 EHR 0264	Becton	07/16/97	
Leroy Anderson v. County of Moore Department of Health	96 EHR 1969	Morrison	07/15/97	12:03 NCR 223
E.H. Garner v. New Hanover Health Department	96 EHR 1972	Gray	08/07/97	
Peter D. McDowell, Sr. v. New Hanover Health Department	96 EHR 2075	Gray	08/07/97	
Riggings Homeowners Assoc. Inc. v. Environment, Health, & Natural Res.	97 EHR 0263	Reilly	08/13/97	
John Ronald Taylor v. Environment, Health, & Natural Resources	97 EHR 0275	Reilly	06/09/97	
Rick Parker v. Pitt County Health Dept./Mr. Ernie Nichols	97 EHR 0470	Phipps	07/01/97	
James R. Melvin v. Environment and Natural Resources	97 EHR 0682	Phipps	09/23/97	
Lee A. Riggs v. Craven County Health Department	97 EHR 0851	Becton	10/02/97	
Robert E. Cahoon v. Carteret County Health Department	97 EHR 0878	Becton	09/30/97	
John Martin v. Environment, Health, and Natural Resources	97 EHR 0993* ²¹	Phipps	10/13/97	
John Martin v. Environment, Health, and Natural Resources	97 EHR 0994* ²¹	Phipps	10/13/97	
Gilbert T. Davis, Jr. v. Forsyth County Environmental Affairs Dept.	97 EHR 1281	Smith	11/10/97	
Land Resources				
James H. Lowdermilk & J. Wayne Lowdermilk v. EHNHR, Land Res	96 EHR 0745	Gray	10/30/97	
Charles G. Smith v. EHNHR, Division of Land Resources	96 EHR 0855	Gray	10/30/97	
Henry Yancey Ingram, II & Hope Fanning Ingram v. EHNHR, Land Res.	96 EHR 0908	Gray	10/30/97	
Environmental Management				
Henry G. Dail, Dail Brothers v. EHNHR, Environmental Management	96 EHR 2104	Gray	08/27/97	
Marine Fisheries				
John A. Trahan v. EHNHR, Division of Marine Fisheries	97 EHR 0400	Chess	10/30/97	
Maternal and Child Health				
Evan's Mini Mart v. EHNHR, Maternal & Child Health, Nutrition Svcs Sec.	97 EHR 0599	Phipps	07/14/97	
Solid Waste Management				
Loie J. Priddy v. Division of Solid Waste Management, EHNHR	96 EHR 1838	Morrison	06/20/97	12:02 NCR 103
Water Quality				
Castle Hayne Steering Committee v. EHNHR, Division of Water Quality and and New Hanover County Water and Sewer District	96 EHR 1731	Mann	06/30/97	
RAYCO Utilities, Inc., Briarwood WWTP v. EHNHR, Div. of Water Quality	97 EHR 0018	Chess	09/12/97	
RAYCO Utilities, Inc., Greystone Forrest WWTP v. EHNHR, Water Quality	97 EHR 0412	Smith	10/29/97	
RAYCO Utilities, Inc., Melville Heights MHP	97 EHR 0643* ²²	Smith	10/29/97	
and RAYCO Utilities, Inc., Penman Heights MHP v. EHNHR, Water Quality				
RAYCO Utilities, Inc., Melville Heights MHP	97 EHR 0644* ²²	Smith	10/29/97	
and RAYCO Utilities, Inc., Penman Heights MHP v. EHNHR, Water Quality				
HUMAN RESOURCES				
Sampson Health Care Facilities Inc. v. Dept. of Health & Human Services	96 DHR 0535	Reilly	11/06/97	
John & Veronica Spearman v. Department of Human Resources	96 DHR 1543	Chess	09/12/97	
New Beginnings Christian Academy v. Department of Human Resources	96 DHR 1925	Reilly	08/22/97	
Cindy G. Geho v. Office of Administrative Hearings, R. Marcus Lodge	97 DHR 0286	Chess	07/23/97	
Helen Wyman v. Department of Human Resources	97 DHR 0407	Reilly	08/08/97	
DeRothea G. Williams d/b/a Dee Williams & Company, a proprietorship v. Buncombe County Partnership for Children, Inc., a NC Nonprofit Corp.; NC Department of Human Resources [Division of Child Development]; NC Department of Environment, Health, and Natural Resources [Division of Maternal and Child Health]	97 DHR 0424	Morrison	09/22/97	
Lorraine M. Monroe v. Department of Human Resources	97 DHR 0540	Gray	10/30/97	
Linda Rouse Sharp v. Department of Human Resources	97 DHR 0610	Mann	08/28/97	
Ocelee Gibson v. Department of Human Resources	97 DHR 0658	Reilly	07/22/97	
Larry Patton v. Department of Human Resources	97 DHR 0829	Phipps	10/17/97	
Rita Faircloth v. Department of Human Resources	97 DHR 0900	Reilly	08/15/97	
Division of Child Development				
New Hanover Cty. Comm. Action v. DHR, Division of Child Development	97 DHR 0921	Phipps	09/10/97	
Cindy G. Geho v. Human Resources, Division of Child Development	97 DHR 0966	Phipps	08/29/97	

CONTESTED CASE DECISIONS

AGENCY	CASE NUMBER	ALJ	DATE OF DECISION	PUBLISHED DECISION REGISTER CITATION
<i>Division of Facility Services</i>				
Ava McKinney v. DHR, Division of Facility Services	96 DHR 2061	Chess	07/08/97	
Mercy Egbuleonu v. DHR, Facility Svcs, Health Care Personnel Reg. Sec.	97 DHR 0172	Becton	07/16/97	
Mercy Egbuleonu v. Human Resources, Division of Facility Services	97 DHR 0450	Gray	09/02/97	
Kizzie Cooper v. DHR, Facility Svcs, Health Care Personnel Registry Sec.	97 DHR 0459	Phipps	06/09/97	
Maggie J. Barnhill v. DHR, Facility Svcs, Health Care Pers. Reg. Sec.	97 DHR 0465	Gray	07/30/97	
Emma Faison v. DHR, Division of Facility Services	97 DHR 0471	Gray	07/15/97	
Eugene Donald Caldwell v. DHR, Division of Facility Services	97 DHR 0480	Gray	10/10/97	
Patricia Addison v. DHR, Facility Svcs, Health Care Personnel Reg. Sec.	97 DHR 0521	Mann	07/25/97	
Selena Louise Holley v. DHR, Facility Svcs, Health Care Persl. Reg. Sec.	97 DHR 0524	Phipps	08/28/97	
Shirley Ebron v. DHR, Facility Svcs, Health Care Pers. Reg. Sec.	97 DHR 0528	Gray	10/02/97	
Claudia K. Thomerson v. DHR, Facility Svcs, Health Care Pers. Reg. Sec.	97 DHR 0551	Chess	07/15/97	
Janice Ann McClinton v. DHR, Facility Svcs, Health Care Pers. Reg. Sec.	97 DHR 0558	Creech	10/17/97	
Michelle R. Griffin v. DHR, Facility Svcs, Health Care Pers. Reg. Sec.	97 DHR 0559	Gray	07/30/97	
Deborah L. McBurnie v. DHR, Facility Svcs, Health Care Pers. Reg. Sec.	97 DHR 0608	Chess	09/02/97	
Kelly M. Poole v. DHR, Facility Svcs, Health Care Pers. Reg. Sec.	97 DHR 0629	Chess	09/02/97	
Debbie Williams v. DHR, Fac. Svcs., Health Care Pers. Reg. Sec.	97 DHR 0630	Gray	10/01/97	
Therese Victoria Wilson v. DHR, Fac. Svcs, Health Care Pers. Reg. Sec.	97 DHR 0632	Phipps	08/25/97	
Notisha Utley v. DHR, Fac. Svcs, Health Care Pers. Reg. Sec.	97 DHR 0646	Phipps	09/26/97	
Helen T. Shokoti v. Human Resources, Division of Facility Services	97 DHR 0653	Chess	08/20/97	
Jeri L. Anderson v. Human Resources, Division of Facility Services	97 DHR 0659	Gray	08/19/97	
Susie A. Milsap v. DHR, Facility Svcs, Health Care Pers. Reg. Sec.	97 DHR 0667	Phipps	08/25/97	
Glenda Christine Taylor v. DHR, Facility Svcs, Health Care Pers. Reg. Sec.	97 DHR 0681	Gray	08/29/97	
Maple Heights Rest Home, Inc. v. DHR, Division of Facility Services	97 DHR 0717	Reilly	10/16/97	
Lisa Bullard v. DHR, Facility Svcs, Health Care Pers. Reg. Sec.	97 DHR 0721	Chess	10/09/97	
Angela D. Johnson v. DHR, Facility Svcs, Health Care Pers. Reg. Sec.	97 DHR 0723	Chess	08/06/97	
Cressie D. Mears v. DHR, Division of Facility Services	97 DHR 0793	Chess	08/21/97	
Marie Emma Wimbush v. DHR, Facility Svcs, Health Care Pers. Reg. Sec.	97 DHR 0797	Phipps	08/25/97	
Himmeler Desvarieux v. DHR, Fac. Svcs, Health Care Pers. Reg. Sec.	97 DHR 0818	Gray	10/24/97	
Tamara Green v. DHR, Fac. Svcs, Health Care Pers. Reg. Sec.	97 DHR 0824	Becton	09/29/97	
Jean Rossman v. DHR, Facility Svcs, Health Care Pers. Reg. Sec.	97 DHR 0908	Smith	09/02/97	
Brenda Faye Harris v. DHR, Facility Svcs, Health Care Pers. Reg. Sec.	97 DHR 0938	Morrison	10/03/97	
Lorena Barbour v. DHR, Facility Svcs, Health Care Pers. Reg. Sec.	97 DHR 0999	Phipps	09/11/97	
Vitina Cockrane v. DHR, Facility Svcs, Health Care Pers. Reg. Sec.	97 DHR 1066	Chess	10/15/97	
Mary Susan McLean v. DHR, Fac. Svcs, Health Care Pers. Reg. Sec.	97 DHR 1091	Morrison	10/21/97	
Doris J. Daniels v. DHR, Fac. Svcs, Health Care Pers. Reg. Sec.	97 DHR 1126	Gray	10/27/97	
Robin Leigh Robinson v. DHR, Facility Svcs, Health Care Pers. Reg. Sec.	97 DHR 1169	Phipps	10/31/97	
<i>Certificate of Need Section</i>				
Carolina Imaging, Inc/Fayetteville v. DHR, Facility Svcs, Cert/Need Sec. and Cumberland Cty Hospital System, Inc., d/b/a Cape Fear Valley Med. Ctr.	96 DHR 1570	Phipps	06/24/97	12:02 NCR 95
<i>Group Licensure Section</i>				
Jeffreys Family Care #2 v. DHR, Facility Svcs, Group Licensure Section	97 DHR 0259	Mann	06/17/97	
<i>Division of Medical Assistance</i>				
Dilladys Renee Stover v. DHR, Division of Medical Assistance	97 DHR 0560	Mann	09/16/97	
Bettye Parson/Tambra Parson v. DHR, Div. of Medical Assistance	97 DHR 0656	Becton	08/12/97	
Robert D. & Ronda M. Staton v. DHR, Div. of Medical Assistance	97 DHR 0660	Smith	09/05/97	
<i>Division of Social Services</i>				
<i>Child Support Enforcement Section</i>				
Dale P. Sprinkle v. Guilford Child Support Agency, Human Resources	96 CRA 1171	Gray	08/13/97	
Steven Van Linker v. Department of Human Resources	96 CRA 1250* ²	Becton	07/11/97	
Michael R. Bryant v. Department of Human Resources	96 CRA 1252	Phipps	08/11/97	
David Lee Chamblee Jr. v. Department of Human Resources	96 CRA 1281	Morrison	06/16/97	
John W. Scott v. Department of Human Resources	96 CRA 1287	Becton	10/09/97	
Michael T. Swann v. Department of Human Resources	96 CRA 1326	Chess	06/04/97	
Ted Wayne Lamb v. Department of Human Resources	96 CRA 1359	Gray	07/10/97	
Jeffrey Grainger v. Department of Human Resources	96 CRA 1376	Reilly	08/14/97	
Tollie Woods v. Department of Human Resources	96 CRA 1348* ⁸	Morrison	08/04/97	
Fred Edward Stafford v. Department of Human Resources	96 CRA 1407* ¹⁸	Reilly	08/21/97	
David N. Jarrett v. Department of Human Resources	96 CRA 1438	Morrison	07/10/97	
Warren S. Olson v. Department of Human Resources	96 CRA 1440	Phipps	09/09/97	
Stanley A. Watson v. Department of Human Resources	96 CRA 1448* ¹⁹	Reilly	08/21/97	
Michael A. Isom v. Department of Human Resources	96 CRA 1450	Becton	07/11/97	
Rafael L. Garcia v. Department of Human Resources	96 CRA 1451	Becton	09/11/97	
Justin M. Woazeah, Sr. v. Department of Human Resources	96 CRA 1452* ⁹	Chess	07/22/97	
Johnny R. Holden v. Department of Human Resources	96 CRA 1463	Mann	10/16/97	
Calvin F. Mizelle v. Department of Human Resources	96 CRA 1476	Chess	07/07/97	
Tommy Lee Clark v. Department of Human Resources	96 CRA 1477	Phipps	08/13/97	
Ander L. Garfield v. Department of Human Resources	96 CRA 1479* ³	Morrison	07/15/97	

CONTESTED CASE DECISIONS

AGENCY	CASE NUMBER	ALJ	DATE OF DECISION	PUBLISHED DECISION REGISTER CITATION
Clarence O. Rains v. Department of Human Resources	96 CRA 1482	Reilly	08/21/97	
Jeremy Baker v. Department of Human Resources	96 CRA 1491* ³⁰	Smith	09/05/97	
Hal C. Morgan, Jr. v. Department of Human Resources	96 CRA 1500	Smith	09/05/97	
Paul S. Cloninger v. Department of Human Resources	96 CRA 1502	Becton	09/11/97	
Edward Stuteville v. Department of Human Resources	96 CRA 1507* ¹³	Mann	08/13/97	
Tony Peterson, Jr. v. Department of Human Resources	96 CRA 1513	Gray	10/02/97	
Lee G. Sanders Jr. v. Department of Human Resources	96 CRA 1515	Reilly	09/11/97	
David Fraizer v. Department of Human Resources	96 CRA 1519* ¹⁰	Chess	07/18/97	
David Fraizer v. Department of Human Resources	96 CRA 1520* ¹⁰	Chess	07/18/97	
David Hobson v. Department of Human Resources	96 CRA 1522* ¹¹	Phipps	07/24/97	
John T. Spidell v. Department of Human Resources	96 CRA 1567	Smith	09/05/97	
Robert M. Starling, Sr. v. Department of Human Resources	96 CRA 1598* ²⁵	Chess	11/03/97	
David Scott Jordan v. Department of Human Resources	96 CRA 1673	Reilly	07/18/97	
Lee R. Jones v. Department of Human Resources	96 CRA 1720* ⁴⁴	Phipps	07/10/97	
Cecil Hall v. Department of Human Resources	96 CRA 1749* ⁵	Mann	07/10/97	
Neil G. McGilberry v. Department of Human Resources	96 CRA 1767* ⁶	Becton	07/15/97	
William E. Daley Jr. v. Wake County Child Support Enforcement	96 CRA 1789	Reilly	09/25/97	
Dennis Larson v. Department of Human Resources	96 CRA 1793	Chess	06/17/97	
Eric L. Harrington v. Department of Human Resources	96 CRA 1794	Mann	07/19/97	
Paul F. Gangemi, Sr. v. Department of Human Resources	96 CRA 1809	Gray	08/13/97	
Scott M. Rodriguez v. Department of Human Resources	96 CRA 1818* ¹	Gray	06/25/97	
James Withers v. Department of Human Resources	96 CRA 1820	Reilly	07/24/97	
Evalina R. Oxendine v. Department of Human Resources	96 CRA 1825	Gray	09/10/97	
Phillip R. Banner v. Department of Human Resources	96 CRA 1826* ²¹	Gray	09/24/97	
Brian K. Norfleet v. Craven County Child Support Office	96 CRA 1846	Phipps	10/02/97	
Richard H. Reist v. Department of Human Resources	96 CRA 1859	Reilly	10/21/97	
Patrick Orlando Crump v. Department of Human Resources	96 CRA 1866* ¹⁴	Gray	08/18/97	
Ronald L. Hadley v. Department of Human Resources	96 CRA 1892	Reilly	07/18/97	
Garland M. Jessup v. Guilford County Child Support Enforcement	96 CRA 1898	Becton	07/11/97	
Anthony LeMar III v. Department of Human Resources	96 CRA 1905	Smith	09/05/97	
Michael A. Norman v. Department of Human Resources	96 CRA 1915	Gray	09/24/97	
Walter Hawk v. Department of Human Resources	96 CRA 1943	Phipps	08/13/97	
Johnny Lewis Fields v. Department of Human Resources	96 CRA 2085* ²²	Smith	10/02/97	
Roger G. Foster v. Department of Human Resources	97 CRA 0043	Phipps	06/19/97	
Charlie T. Smith v. Department of Human Resources	97 CRA 0280	Reilly	06/16/97	
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Kenneth A. Ingle v. Department of Human Resources	97 CRA 1714	Chess	09/25/97	
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Monty G. Cox v. Randolph County Child Support Enforcement Agency	96 CSE 1235* ¹⁶	Becton	08/12/97	
Steven Van Linker v. Department of Human Resources	96 CSE 1249* ²	Becton	07/11/97	
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Willie L. Berry v. Department of Human Resources	96 CSE 1319	Gray	06/25/97	
Tony Orlando Steele v. Department of Human Resources	96 CSE 1337	Mann	06/30/97	
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Tollie Woods v. Department of Human Resources	96 CSE 1340* ⁸	Morrison	08/04/97	
James Earl McLellan v. Department of Human Resources	96 CSE 1358	Mann	10/16/97	
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Fred Edward Stafford v. Department of Human Resources	96 CSE 1406* ¹⁸	Reilly	08/21/97	
Richard K. Blisard v. Department of Human Resources	96 CSE 1446	Mann	10/22/97	
Stanley A. Watson v. Department of Human Resources	96 CSE 1449* ¹⁹	Reilly	08/21/97	
Justin M. Woazeah, Sr. v. Department of Human Resources	96 CSE 1453* ⁹	Chess	07/22/97	
William A. Underhill v. Department of Human Resources	96 CSE 1455	Mann	07/18/97	
Almiron J. Deis v. Department of Human Resources	96 CSE 1456	Gray	06/25/97	
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Alfred Clinton Springs v. Department of Human Resources	96 CSE 1473	Reilly	08/21/97	
Ander L. Garfield v. Department of Human Resources	96 CSE 1480* ³	Morrison	07/15/97	
Ulysses Harris v. Nash County Child Support Office and Human Resources	96 CSE 1488	Becton	10/14/97	
Edward Stuteville v. Department of Human Resources	96 CSE 1508* ¹³	Mann	08/13/97	

* Consolidated Cases.

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Gerald A. Jones v. Department of Human Resources	96 CSE 1512	Becton	09/11/97	
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Gregory D. Simpson v. Department of Human Resources	96 CSE 1527	Reilly	06/25/97	
Carl E. Coffey v. Department of Human Resources	96 CSE 1528	Reilly	09/24/97	
Donald Ray Archie v. Department of Human Resources	96 CSE 1558	Becton	07/11/97	
John T. Spidell v. Department of Human Resources	96 CSE 1566	Smith	09/05/97	
John W. Liverman v. Department of Human Resources	96 CSE 1568	Becton	07/11/97	
John H. Hale, Jr. v. Department of Human Resources	96 CSE 1573	Mann	10/22/97	
Vincent L. Martin v. Department of Human Resources	96 CSE 1574	Gray	08/04/97	
Harlie Leonard Hardison v. Department of Human Resources	96 CSE 1578	Becton	08/25/97	
Alton Washington v. DHR and Robeson County Child Support Enf. Agcy.	96 CSE 1597	Becton	10/13/97	
Robert M. Starling, Sr. v. Department of Human Resources	96 CSE 1605* ²⁵	Chess	11/03/97	
David Fraizer v. Department of Human Resources	96 CSE 1610* ¹⁰	Chess	07/18/97	
Golet Holloway, Jr. v. Department of Human Resources	96 CSE 1611	Becton	07/11/97	
Jeffrey Pierce v. Department of Human Resources	96 CSE 1613	Mann	06/30/97	
Patrick Orlando Crump v. Department of Human Resources	96 CSE 1614* ¹⁴	Gray	08/18/97	
Crystal Lynn Manring-Robertson v. Forsyth County CSE, DSS & DHR	96 CSE 1619	Becton	10/13/97	
William C. Rivera v. Department of Human Resources	96 CSE 1622	Mann	06/18/97	
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Lenora McCracken v. Department of Human Resources	96 CSE 1644	Mann	06/30/97	
Donald Lee Rodgers Sr. v. Rowan County CSE, DHR, DSS, CSE	96 CSE 1667	Becton	10/13/97	
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Gregory Melton v. Department of Human Resources	96 CSE 1764	Morrison	09/17/97	
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Devin J. Bello v. Department of Human Resources	96 CSE 1774	Phipps	07/16/97	
Phillip R. Banner v. Department of Human Resources	96 CSE 1802* ²¹	Gray	09/24/97	
Scott M. Rodriguez v. Department of Human Resources	96 CSE 1817* ¹	Gray	06/25/97	
James Withers v. Department of Human Resources	96 CSE 1821	Reilly	08/21/97	
David M. Greene v. Buncombe County CSE and DHR, DSS, CSE	96 CSE 1844	Becton	10/06/97	
Jarmarie Arnold v. Department of Human Resources	96 CSE 1853	Becton	10/14/97	
Sean Heitz v. Department of Human Resources	96 CSE 1909	Chess	07/22/97	
Nathan S. Lockhart Sr. v. Department of Human Resources	96 CSE 1910	Phipps	07/16/97	
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Daniel E. Carpenter v. Department of Human Resources	96 CSE 1917* ¹²	Phipps	07/25/97	
Daniel D. Morse v. Department of Human Resources	96 CSE 1942	Chess	08/19/97	
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Alfred Covington v. DHR, DSS, CSE and Burke County CSE	96 CSE 2086	Becton	10/06/97	
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James Allen Harris v. Department of Human Resources	97 CSE 0401	Mann	10/16/97	
John C. Henderson v. Department of Human Resources	97 CSE 0408	Smith	09/05/97	
William A. Rogers v. Department of Human Resources	97 CSE 0410	Gray	06/25/97	
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Michael J. Powell v. Department of Human Resources	97 CSE 0418	Becton	08/12/97	
Joseph Davis v. Department of Human Resources	97 CSE 0435* ¹⁵	Phipps	08/11/97	
James G. Davis v. Department of Human Resources	97 CSE 0448	Gray	07/28/97	
Randy Gavurnik v. Department of Human Resources	97 CSE 0454	Morrison	08/04/97	
Curtis Leon Mock v. Department of Human Resources	97 CSE 0490	Mann	06/17/97	
Daniel E. Carpenter v. Department of Human Resources	97 CSE 0501* ¹²	Phipps	07/25/97	
Juan L. Allen v. Department of Human Resources	97 CSE 0550	Smith	09/05/97	
Donald Mac Tipton v. Department of Human Resources	97 CSE 0564	Gray	09/15/97	
Guy R. Auger v. Brunswick County Child Support Enforcement	97 CSE 0600	Morrison	07/18/97	
Andrew J. Hough v. Department of Human Resources	97 CSE 0615	Reilly	08/21/97	
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William Irving Commodore v. Department of Human Resources	97 CSE 0671	Mann	10/03/97	
David F. Norman v. Department of Human Resources	97 CSE 0672	Gray	07/28/97	
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Nathaniel D. Carter v. Department of Human Resources	97 CSE 0931	Smith	09/25/97	
Dennis W. Clowers v. Department of Human Resources	97 CSE 0944	Becton	09/11/97	
Daniel J. McDowell v. Department of Human Resources	97 CSE 0984	Morrison	09/10/97	
Enrico Phineas Acher v. Department of Human Resources	97 CSE 0990	Reilly	11/05/97	
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Randy Allen Vore v. Department of Human Resources	97 CSE 1071	Mann	10/07/97	
Walter McNeil v. Department of Human Resources	97 CSE 1324	Becton	09/11/97	
David Hobson v. Department of Human Resources	97 CSE 1747 ^{*11}	Phipps	07/24/97	
Jerry Whitley v. Mecklenburg County Child Support Enforcement	97 CSE 2037	Reilly	08/21/97	
Linda Wade-Hargrove v. Department of Human Resources	97 DCS 0365	Becton	07/11/97	
Regina C. Sullivan v. Department of Human Resources	97 DCS 0482	Becton	07/18/97	
Teri Lynne Lanier v. Department of Human Resources	97 DCS 0738	Smith	09/05/97	
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Clarisa Carter Watson v. Department of Human Resources	97 DCS 0909	Gray	10/02/97	
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Joseph J. Peacock v. Department of Insurance	96 INS 0433	Becton	07/25/97	12:04 NCR 327
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Barbara Carter Irons v. DHR, Division of Facility Services	97 DOJ 0669	Phipps	08/27/97	12:06 NCR 501
Paul Harvey Taylor v. Department of Justice, Company Police Program	97 DOJ 0916	Reilly	10/03/97	
Christopher Michael Lynn v. Company Police Program	97 DOJ 1120	Chess	10/22/97	
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Alarm Systems Licensing Board				
Kim Brian Phelps v. Alarm Systems Licensing Board	96 DOJ 1785	Gray	08/08/97	
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Education and Training Standards Division				
Charles Thomas Ohnmacht, Jr. v. Criml. Justice Ed./Training Stds. Comm.	96 DOJ 0353	Phipps	06/13/97	
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Audrey McDonald Rodgers v. Sheriffs' Ed. & Training Stds. Comm.	97 DOJ 0308	Reilly	07/31/97	
Gerald S. Wingate v. Sheriffs' Ed. & Training Stds. Comm.	97 DOJ 0428	Gray	10/09/97	
William Malcolm Mourino v. Sheriffs' Ed. & Training Stds. Comm.	97 DOJ 0430	Phipps	09/16/97	
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Harry A. House v. Private Protective Services Board	97 DOJ 0727	Phipps	09/11/97	
Earl Thomas Wilson v. Private Protective Services Board	97 DOJ 0996	Gray	10/06/97	
Patti Jones v. Private Protective Services Board	97 DOJ 1195	Reilly	11/03/97	
John Stokes, Jr. v. Private Protective Services Board	97 DOJ 1196	Reilly	11/03/97	
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Nicholas Eirschele, by his parents, Charles & Kathy Eirschele v. Craven County Board of Education	96 EDC 0655	Mann	09/02/97	
Karen L. Holgersen v. Department of Public Instruction	96 EDC 0808	Smith	05/27/97	
Meridith Kirkpatrick, by her parent, Susan Kirkpatrick and Meridith Kirkpatrick, Individually v. Lenoir County Board of Education	96 EDC 0979	Overby	06/02/97	
Brian Allen Hoffman v. Department of Public Instruction	96 EDC 1013	Gray	10/24/97	
Alexander & Linda Brody & their son, James Brody v. Dare County Public Schools	96 EDC 1095	Creech	08/25/97	12:07 NCR 581
Brenda Joyce Brooks Lovely v. State Board of Education	97 EDC 0089	Morrison	08/01/97	
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Fred W. Crawford II v. Charlotte/Mecklenburg Board of Education	97 EDC 0345	Smith	10/21/97	
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<i>Correction</i>				
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Rodney Jones, Paula Hawkins, James McKoy v. Dept. of Correction	96 OSP 1120*17	Phipps	08/20/97	
Larry Wayne Pruitt, Jr. v. Department of Correction	96 OSP 1133	Gray	08/11/97	
William Hershel Bradley v. Franklin Freeman, Supt. Mark Hughes, Grant Spicer, Asst. Supt. Wade Hatley, et al, Department of Correction	96 OSP 1604	Phipps	06/19/97	
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Ray Evans Joyner v. Correction, Div. of Adult Probation/Parole	97 OSP 0100	Becton	09/18/97	
Morton Floyd v. New Hanover Department of Correction	97 OSP 0152	Gray	06/13/97	
William G. Jordan v. Department of Correction	97 OSP 0469	Morrison	10/31/97	11:12 NCR 987
William A. Rich v. Dennis Rowland (Asst. Supt.) Wake Corr. Ctr. DOC	97 OSP 0542	Gray	09/02/97	
Torie M. Osborne v. Department of Correction	97 OSP 0601	Smith	10/27/97	
Lonnie F. McCaskill, III v. Department of Correction	97 OSP 0761	Gray	10/02/97	
William E. McCaskill v. Department of Correction	97 OSP 0770	Becton	09/26/97	
Andrew Pinto v. Department of Correction	97 OSP 0873	Becton	10/31/97	
Ronald M. Johnson v. Emp. Rel. Comm., DOC (Morrison Youth Inst.)	97 OSP 0940	Gray	10/02/97	
<i>Crime Control and Public Safety</i>				
Timothy M. Lassiter v. Crime Control & Public Safety, St. Hwy Patrol	97 OSP 0423	Phipps	10/29/97	
Carroll E. Ward v. State Highway Patrol	97 OSP 0750	Mann	09/16/97	
<i>Employment Security Commission</i>				
Broxie J. Nelson v. Employment Security Commission	96 OSP 0378	Becton	07/10/97	
Mary H. Ranson v. Employment Security Commission	97 OSP 0387	Mann	07/24/97	
<i>Environment, Health, and Natural Resources</i>				
James Fred Swain v. Environment, Health, and Natural Resources	96 OSP 0440	Gray	10/02/97	12:09 NCR 851
James S. Kantor v. Environment, Health, and Natural Resources	96 OSP 0633	Smith	09/30/97	12:09 NCR 854
<i>Human Resources</i>				
Betty J. Souther v. New River Area MH/DD/SA Program	94 OSP 0327	Becton	10/20/97	
Willie D. Parks v. Cherry Hospital, Department of Human Resources	96 OSP 0617	Phipps	09/10/97	
Robert Tilson Morley v. Department of Human Resources	96 OSP 0969	Gray	08/21/97	
Glen Sutton v. Cumberland County Department of Social Services	96 OSP 1296	Gray	07/17/97	
Brenda C. Burgess v. Dept of Human Resources (Broughton Hospital)	96 OSP 1485	Phipps	10/13/97	
Pamela Massey v. Department of Human Resources	96 OSP 1927	Becton	08/28/97	12:06 NCR 497
Clifton Dean Hill v. Department of Human Resources	97 OSP 0007	Phipps	06/20/97	12:02 NCR 107
Bennie Allen Suttle v. Department of Human Resources	97 OSP 0069	Reilly	09/30/97	
Calvin E. Kaiser v. Southeastern Mental Health Center	97 OSP 0073	Gray	08/08/97	
Sandra Riley v. Onslow County Department of Social Services	97 OSP 0217	Reilly	10/14/97	
Vicky Angel Morgan v. Buncombe County Department of Social Services	97 OSP 0283	Becton	10/02/97	
Rick A. Sanders v. Department of Health and Human Services	97 OSP 0307	Reilly	10/16/97	
Troy Gaines v. Durham County Mental Health Department	97 OSP 0347	Mann	08/05/97	
Edward Percell Eason v. Department of Human Resources	97 OSP 0363	Gray	08/15/97	
Lisha Dawn Byrd v. Human Resources (Western Carolina Center)	97 OSP 0491	Morrison	08/28/97	
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<i>Public Instruction</i>				
Frances Phillips Melott v. Department of Public Instruction	95 OSP 0907	Trawick	06/09/97	
<i>Transportation</i>				
Tommie R. Jones, Samuel W. Winstead, Timothy C. Sturges, Michael J. Boone, and Ronnie Batchelor v. Dept. of Transportation, Div. of Motor Vehicles, Enforcement Section	96 OSP 0781*26	Phipps	11/13/97	11:12 NCR 979
Tommie R. Jones, Samuel W. Winstead, Timothy C. Sturges, Michael J. Boone, and Ronnie Batchelor v. Dept. of Transportation, Div. of Motor Vehicles, Enforcement Section	96 OSP 0782*26	Phipps	11/13/97	11:12 NCR 979
Tommie R. Jones, Samuel W. Winstead, Timothy C. Sturges, Michael J. Boone, and Ronnie Batchelor v. Dept. of Transportation, Div. of Motor Vehicles, Enforcement Section	96 OSP 0783*26	Phipps	11/13/97	11:12 NCR 979
Georgia B. Warren v. Dept. of Transportation, Div. of Motor Vehicles, Enforcement Section	96 OSP 0784*26	Phipps	11/13/97	11:12 NCR 979
Tommie R. Jones, Samuel W. Winstead, Timothy C. Sturges, Michael J.	96 OSP 0785*26	Phipps	11/13/97	11:12 NCR 979

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<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Boone, and Ronnie Batchelor v. Dept. of Transportation, Div. of Motor Vehicles, Enforcement Section				
Tommie R. Jones, Samuel W. Winstead, Timothy C. Sturges, Michael J. Boone, and Ronnie Batchelor v. Dept. of Transportation, Div. of Motor Vehicles, Enforcement Section	96 OSP 0786* ²⁶	Phipps	11/13/97	11:12 NCR 979
Wendell L. Webb v. Department of Transportation, Ferry Division	96 OSP 1710* ²⁴	Phipps	10/31/97	
Wendell L. Webb v. Department of Transportation, Ferry Division	97 OSP 0198* ²⁴	Phipps	10/31/97	
Frank A. Tice, III v. Department of Transportation	97 OSP 0380	Mann	09/05/97	
University of North Carolina				
Boyd S. Taylor v. NC Central University	94 OSP 0363	Chess	09/12/97	
Diane Riggsbee-Raynor v. UNC at Chapel Hill	96 OSP 0326	Chess	06/04/97	12:01 NCR 39
Helen McIntyre v. UNC-TV University of North Carolina	96 OSP 0822	Gray	09/26/97	
Elaine P. Browne v. Winston-Salem State University	96 OSP 1007	Reilly	09/24/97	
Carol Glosson v. University of NC Hospitals at Chapel Hill	96 OSP 1015	Becton	10/08/97	
Theresa Rogers v. University of NC Hospitals at Chapel Hill	96 OSP 1065	Morrison	10/23/97	
Ann O. Meares v. NC State University	96 OSP 1870	Chess	09/22/97	
Darrell J. Hampton v. NC Central University	97 OSP 0155	Mann	08/11/97	
Clinton A. Browne v. NC A&T State University	97 OSP 0199	Phipps	09/18/97	
Kenneth L. Jarman v. East Carolina University	97 OSP 0249	Gray	09/26/97	
William A. Covington v. NC A & T State University	97 OSP 0686	Becton	08/29/97	
Beth W. Vinson v. Western Carolina University	97 OSP 0762	Phipps	10/10/97	
Helen McIntyre v. UNC-TV University of North Carolina	97 OSP 0991	Gray	09/26/97	
Helen McIntyre v. UNC-TV University of North Carolina	97 OSP 1148	Gray	10/16/97	
E. Julius Carter v. UNC-Greensboro	97 OSP 1202	Phipps	11/05/97	
SECRETARY OF STATE				
Greenway Capital Corp. & Stacey Lee Davis v. Securities Div. Sec'y/State	94 SOS 0097	Gray	10/28/97	
Teresa M. Coltrain v. Secretary of State	97 SOS 0499	Reilly	10/22/97	12:10 NCR 914
STATE TREASURER				
Shelby H. Underwood, et.al. v. Trustees Teachers/St. Emp Ret. Sys.	96 DST 0390	Reilly	08/05/97	
Richard Albert Jose v. State Treasurer Retirement Systems Div.	97 DST 0281	Reilly	10/02/97	
TRANSPORTATION				
Audrey W. Harris v. Transportation, Manson/Wheat Contr., & Wake Elec.	97 DOT 0566	Gray	07/28/96	
UNIVERSITY OF NORTH CAROLINA				
Clinton S. Rogers v. UNC-Chapel Hill	97 UNC 1062	Becton	10/31/97	

STATE OF NORTH CAROLINA

COUNTY OF WAKE

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
96 OSP 0781 - 0786

TOMMIE R. JONES, SAMUEL W. WINSTEAD, TIMOTHY C. STURGES, MICHAEL J. BOONE, and RONNIE BATCHELOR,)	
Petitioner,)	96 OSP 0781
)	96 OSP 0782
v.)	96 OSP 0783
)	96 OSP 0785
N.C. DEPARTMENT OF TRANSPORTATION, DIVISION OF MOTOR VEHICLES ENFORCEMENT SECTION,)	96 OSP 0786
Respondent.)	

GEORGIA B. WARREN,)	
Petitioner,)	
)	
v.)	96 OSP 0784
)	
N.C. DEPARTMENT OF TRANSPORTATION, DIVISION OF MOTOR VEHICLES ENFORCEMENT SECTION,)	

This matter was heard before Administrative Law Judge Meg Scott Phipps in Raleigh, North Carolina on July 31, August 1, 11 and 12, 1997. Petitioner, Georgia Warren, was present and represented herself. Petitioners, Tommie R. Jones, Samuel W. Winstead, Timothy C. Sturges, Michael J. Boone, and Ronnie Batchelor, were present and represented by Ms. Janet I. Pueschel, Attorney at Law. Respondent was present and represented by Mr. C. Norman Young, Assistant Attorney General with the N. C. Department of Justice.

MOTION TO RECONSIDER MOTION TO DISMISS

At the call of the case and at the end of the presentation of evidence, Respondent renewed its Motion to Reconsider the Denial of Respondent's Motion to Dismiss for lack of jurisdiction for failure to timely file the petitions. This motion had previously been denied by Chief Judge Julian Mann on June 11, 1997 who, after reviewing the exhibits and the pleadings, did affirm former Administrative Law Judge Thomas R. West's Order Denying Respondent's Motion to Dismiss on August 7, 1996. After hearing the arguments of counsel and reviewing the exhibits, the undersigned concluded that both Judge West's and Chief Judge Mann's Orders should be affirmed. Therefore, the Respondent's Motion to Reconsider is **DENIED.**" See also, 25 NCAC 1J .0506 (employee has the option to pursue the internal grievance procedure if discrimination is alleged);

BURDEN OF PROOF

The parties stipulated that the Petitioners had the burden of proof by a preponderance of the evidence.

ISSUE

Whether the reallocation upward of a non-vacant position with an increase in pay above the minimum constituted a denial of promotion by the Respondent due to political discrimination in violation of G.S. §126-36 and whether the Respondent failed to post a vacancy for a Vehicle Enforcement Officer II as provided in G.S. §126-7.1.

Based upon the pleadings, the testimony of witnesses, and the exhibits, the undersigned makes the following:

"For the official record, evidence on the Petitioners' appeal process was taken during the contested case hearing.

FINDINGS OF FACT

1. The Petitioners bring this contested case to challenge the promotion of Russell Taylor and the upgrading of his position as a Vehicle Enforcement Officer I (VEO I) to a VEO II Sergeant's position and for the failure to post the position as a vacancy. All of the Petitioners are VEO Is at the Halifax Weigh Station.

Petitioners

2. Tommie R. Jones is a Vehicle Enforcement Officer I (VEO I) in the Motor Safety Unit stationed at the Halifax Weigh Station. He has an A.S. degree in Criminal Justice from Nash Community College. He is certified as a law enforcement officer by the Sheriff Training and Education Standards Commission and the Criminal Justice Training and Education Standards Commission. He has advanced certifications in law enforcement functions. He served in the military and with the Franklin County Sheriff's Department. He has been with DMV since 1991, has not been promoted or demoted, and has received average to above average evaluations. He has been a registered Republican since 1986. He has been active in the party by serving as precinct chairman, poll worker, and has put up signs. Also, he has contributed approximately \$500.00 to the Republican Party. He has not denied his party affiliation when asked. He earns approximately \$25,000.00 annually.

3. Timothy C. Sturges has been with DMV since 1991 as a VEO I and earns approximately \$23,500.00. He has not been promoted or demoted. Mr. Sturges is a Vietnam veteran where he served as a security policeman over nuclear weapons; he supervised 25 employees. He obtained a GED and started courses at Wayne Community College in Forestry and Construction. He completed his basic law enforcement training ("BLET") at the Salem Justice Academy. He worked with the Enfield Police Department and the Halifax Sheriff's Department. Mr. Sturges is a registered Democrat but is not active. He does not always vote Democratic.

4. Samuel Winstead has been a VEO I with DMV since 1988. He has a BA in History from Atlantic Christian (Barton) College. He served with the Rocky Mount Police Department, attended Commercial Vehicle Safety Alliance School, and has had numerous training courses since he has been in law enforcement. He has received no promotions nor demotions. His evaluations have been above average or outstanding. He is a registered Democrat in Nash County but is not politically active.

5. Michael J. Boone is a VEO I stationed at the Halifax Weigh Station since 1992. He earns approximately \$26,000.00 and has received no promotions or demotions or disciplinary actions. Prior to coming with DMV, he served in the Marine Corp. for six years where he was assigned to nuclear weapon security for two years. He received an Associate Degree from Edgecombe Community College in law enforcement. He is a certified law enforcement officer. Mr. Boone has served with the Seaboard Coastline as a policeman, Firestone Tire & Rubber in security, Rocky Mount Police Department, and the Nash County Sheriff's Department. He has been a registered Democrat in Nash County since 1993. Mr. Boone has not always been a Democrat and has never been involved in political activities other than making a political contribution in 1992.

6. Ronnie Batchelor is a VEO I with the Division of Motor Vehicles stationed at the Halifax Weigh Station. He is presently a Motor Carrier Officer but also does weight enforcement. He earns approximately \$24,200.00 and has been a VEO I since 1987. Prior to this position, he has been a Rocky Mount police officer, an Edgecombe County deputy sheriff, and served in law enforcement in New York. He is certified in various law enforcement functions. He has over 700 hours of in-service training and has participated in special assignments such as assisting the State Highway Patrol. He is registered to vote as a Democrat in Nash County but does not participate in political activities and has made no contributions.

7. Georgia B. Warren is a VEO I with DMV stationed at Halifax Weigh Station. She is a certified police officer. Prior to coming with DMV, she had no law enforcement experience; however, she had twelve years of trucking experience with Weyerhaeuser and an oil company. She has attended Motor Carrier Auditor School and the Commercial Vehicle Safety Alliance School. She has completed three years at Atlantic Christian (Barton) College and has one year remaining to obtain a degree in Criminal Justice. In her work at DMV, she has received two letters of accommodation and one outstanding performance accommodation for her assistance with Hurricane Andrew. Mrs. Warren has been a registered Republican in Nash County for nine years. Although she is not politically active, she has not hid the fact that she is a Republican.

The VEO II Position

8. Lt. Kenneth Meeks and others testified that Position #71316, which is at issue in this case, was originally a VEO II position. Sometime in 1993 when the position became vacant, an understanding existed among the VEO Is to allow the

senior VEO I to apply for it. Even two out-of-district applicants withdrew their names from consideration which left only the VEO I with the most seniority. Rather than fill the position with the senior VEO I employee, position #71316 was downgraded to a VEO I. Lt. Meeks testified that he needed more VEO IIs or Sergeants at the time and he had recommended that the senior officer be hired.

9. Russell Taylor was hired into position #71316 in February 1994. While Russell Taylor was in the VEO I position, the decision was made to upgrade it to a VEO II position in February 1996. The VEO II has the rank of Sergeant and has supervisory duties over the VEO Is. Generally, positions are reallocated if the managers show there is a need for the position or the person in the position is doing the work of that type of position. On the PD-118 Position Action Form, the explanation was given that the position was being reallocated up "due to change in job duties and responsibilities based on workload." In this case, Russell Taylor was not doing the VEO II Sergeant duties although other VEO Is were and there was no evidence that Taylor's workload and duties had increased. There was testimony from Lt. Meeks that his staff was overworked; however, there was no evidence that any specific request had been made for a Sergeant's position by DMV Enforcement management.

Russell Taylor and Position #71316

10. As stated, position #71316 was a VEO I position in the Fall of 1993. Russell Taylor submitted a DOT application in September 1993. He was 24 years old. Prior to submitting his application, he had worked for: 1) Coastal Lumber Company for six months, 2) Mike Neal & Associates for one year appraising timber, 3) Carroll Foods for three months, and 4) DOT in highway maintenance for four to five months. Mr. Taylor had received an A.S. degree from Wayne Community College in Forestry in 1991. In January 1994, Mr. Taylor was notified that he was the successful applicant for the position. Although there was evidence contending that Mr. Taylor was not qualified for the VEO I position when hired, this is not at issue in this contested case.

11. When Officer Taylor began working at the Halifax Weigh Station in February 1994, he was not a certified law enforcement officer. His starting salary as a trainee was approximately \$19,856.00. He finally received his BLET training and was issued a probationary certification by the Criminal Justice and Education Training Standards Commission in August 1994. Pending certification, Officer Taylor could not wear a uniform and could not "go on the road" or issue citations. Primarily he stayed in the office and did paperwork. This was not an uncommon practice for people who were hired but not previously certified. In February 1995, Petitioner was placed on permanent status as a state employee. His salary increased from \$19,586.00 to \$21,906.00.

12. Officer Taylor applied for a Law Enforcement Officer I (LEO I) or Inspector position during the latter part of 1995. The LEO I position is considered a promotion by VEO Is and IIs. Taylor was notified in early 1996 that he did not get the position. He did not qualify for the position due to a lack of education and experience.

13. Thomas "Sonny Boy" Joyner is the great uncle of Russell Taylor. Mr. Joyner is a life long active Democrat. He was chairman of the Northhampton County Democratic Party for 45 years and has contributed to Governor James B. Hunt's campaigns. He has referred people for private and public sector jobs over the years. He has talked with Linda McDougal in the Governor's Personnel Office about recommendations for people. Officer Taylor testified that he spoke to Mr. Joyner about the VEO I position and asked for his help. He also spoke to Mr. Joyner when he applied for the LEO I position. Mr. Joyner testified that he remembered recommending Russell Taylor for the LEO I position. When Taylor did not get the Inspector position, Mr. Joyner called Mr. Robert S. ("Sid") Boyette, Personnel Director for DMV, and told him that "if he had anything that he could put him in, he would appreciate it." He did not ask specifically for the VEO II Sergeant's position.

14. Sid Boyette became the Special Assistant to DMV's Personnel Director in April 1993. In August 1993, he became the Director of Personnel. Mr. Boyette testified that in 1994, DMV Director Alexander Killians, Col. A. L. Felton, and Lt. Col. Reggie Smith made the hiring decisions. He stated that the paperwork usually came from Col. Felton or Lt. Col. Smith. Mr. Boyette testified that he has never met Russell Taylor; however, he did state that Sonny Boy Joyner had been a friend of his for thirty years.*** The recommendation to hire Taylor came from Mr. Joyner; however, he stated that he himself did not make the recommendation to hire Taylor.

*** Although not a finding of fact substantial enough to support a conclusion of law, it is interesting to note that Sid Boyette testified that he lived on Gov. Hunt Road in Lucama, North Carolina.

15. As stated, Sonny Boy Joyner did call Sid Boyette to recommend Taylor for the LEO I position. When Taylor was not hired due to a lack of experience, Mr. Joyner called Boyette. It was clear to Boyette that Mr. Joyner was "hurt and embarrassed." Mr. Boyette told Mr. Joyner that he would look into it. He contacted Col. Felton. Mr. Boyette testified that he recommended that Taylor's position be upgraded because there was no vacant position. In Boyette's opinion, Taylor was minimally qualified for the VEO II position. Mr. Taylor believed he was minimally qualified. Most of the other witnesses did not. Because Taylor had 24 months with DMV, he was given 6 months credit for his degree in Forestry so that he could meet the 30 month minimum requirement for the VEO II position. Mr. Boyette testified that if it "is justified, you can get around a promotion if its done through a reallocation."

16. Col. A. L. Felton, Director of DMV Enforcement testified that he did not make any hiring decisions; further, he stated that all hiring decisions came from DMV Commissioner Alexander Killians. Col. Felton also testified that to his knowledge the only requirement for a VEO I was to be BLET (Basic Law Enforcement Training) certified and that Mr. Taylor could not have been hired without it. Later in his testimony he acknowledged that experience in regulatory or investigatory work was a requirement. He was told by Lt. Col. Reggie Smith that Taylor had wildlife experience. He also stated that he did not have the authority to set salary and that function was handled by Lt. Col. Smith. Col. Felton made it clear that he did not promote Russell Taylor to VEO II but that the position was upgraded. He stated that this kind of thing had been done before but that he personally had never done it. Col. Felton stated that he disagreed with the reallocation.

17. Lt. Col. Reggie Smith was the Deputy Director under Col. Felton. In his position, he was responsible for personnel matters and acted as a liaison between Mr. Boyette's office and Col. Felton. He stated that he was the "paper shuffler." Lt. Col. Smith testified that professionally he did not know why the VEO I position was upgraded to a VEO II. He stated that personally, he had an opinion. He believes that it was done because Col. Felton was instructed to do it. He stated that "[W]e were told by Boyette to upgrade it." He further testified that normally when a position is upgraded, it is vacant. He was strongly against the upgrade and refused to sign the PD-105 (a personnel form) on it. Lt. Col. Smith did not believe that Taylor was qualified for the VEO II position.

18. Linda McDougal has been the Director of Personnel for the Governor's Office since February 1996. She testified that anyone who calls her office for a Governor's referral receives one and anyone can call to make a recommendation on someone else's behalf. The office does not make recommendations but people are advised that they have to be qualified for the position for which they have applied. Her office does not have time to review qualifications. Her staff takes the name, the address, and the position and then sends a referral form to the specific agency. Her staff does not say: "You have to hire this person." They also do not review campaign contributions prior to making referrals. She testified that she has never had that information. Ms. McDougal further testified that many times, agency management does not know who made the recommendation to the Governor's Office. Further, she noted misuse of the referral system by some agency management. When they did not want to hire internally, management would tell an employee that they had to hire a Governor's referral. Ms. McDougal testified that she spends time counseling management when she hears that an applicant has been advised that a Governor's referral is necessary to get a job.

19. Ms. McDougal testified about Russell Taylor's referral file maintained at her office. In 1993, Taylor was initially interested in the State Highway Patrol. He sent in an application. An acknowledgment letter was sent out and a referral form was sent to the Highway Patrol. In August 1994, he was referred for a VEO I position. In January 1996, there was a general referral for all positions in all divisions. Ms. McDougal was not aware of Russell Taylor until the *News and Observer* newspaper wrote a story on political patronage. A reporter called her and Sonny Boy Joyner called her. She testified that she knows Sonny Boy Joyner and her staff have made referrals for him.

20. Lt. Col. Smith testified that it was a violation of Promotion Policy V.D. to reallocate Taylor to the VEO II position. He also testified that in 1993 or early 1994, a new requirement was put in place that all applicants had to be BLET certified prior to employment. Mr. Taylor had not met this requirement.

21. Col. A.L. Felton sent Capt. Frank Arrant a letter promoting Russell Taylor to Sergeant. Taylor's VEO I position had been reallocated to VEO II on February 10, 1996. This was forwarded to Lt. Meeks over the fax machine to the Halifax Weigh Station. Russell Taylor was not aware of the promotion until he received a letter dated March 12, 1996. The promotion was effective February 10, 1996. He was not aware he had received a pay increase until he received his next paycheck.

22. In the VEO II position, Officer Taylor made \$26,500. This was a 35% increase from what Taylor started out with in February 1994 which was \$19,586.00. It was a 20% increase from his salary in February 1995 when he obtained permanent status. This new salary was approximately what Officer Taylor would have made in the LEO I position had he been hired. The

maximum pay increase for a promotion is usually 10%. The Personnel Action Form shows that he received a 9.3595% increase in pay over the minimum for the position. However, the VEO II position was budgeted for \$22,344.00. The requested salary by Col. Felton was \$24,578.00. On the draft PD-118 Form, the budgeted salary position of \$24,578.00 was marked through and \$26,500 was handwritten below it. The funds available in reserve was also marked through and increased. Mr. Boyette testified that normally the supervisors make recommendations as to salary. In this case, he did not know who made the salary recommendation for Russell Taylor's VEO II position. He said it "could have been me. I'll take the responsibility for it."

23. Lt. Col. Reggie Smith testified that prior to DMV Commissioner Janice Faulkner assuming her position, 92% of the vacant positions were filled from people outside of the DMV Enforcement Section. He testified that when a vacant position became available, he was instructed to do the paperwork. He said that the DMV Enforcement Section influenced only about 5-8% of the positions.

Aftermath of the Decision

24. The effect of the decision to upgrade Mr. Taylor's position and promote him with the position was devastating to the morale of the employees at the Halifax Weigh Station. The news had come to the Station over the fax machine. The letter to Lt. Meeks was dated March 12, 1996 but the effective date of the promotion was one month earlier. Even Mr. Taylor was not aware of it. All of a sudden, he became the supervisor to 22 employees when he had only been doing the full duties of a VEO I for a little over a year. The VEO Is were angry and the desire to work hard had diminished. There was testimony that "production" was off, that officers did their jobs but no more. Respect for the Division was lost. Desire and motivation were diminished. Most believed it was a political decision and a "reward" to Taylor for not getting the LEO I position.

25. Most of the officers including the Petitioners spoke with Lt. Meeks who's office was located at the Halifax Weigh Station. He advised them that there was nothing he could do. Some chose to fight the decision and others chose not to "rock the boat." Whether factually based or not, some feared a transfer if they fought the decision. Phone calls were made to Lt. Col. Reggie Smith and to DOT's Personnel Department. The Petitioners submitted written grievances with Lt. Meeks who forwarded them through his chain of command to Capt. Arrant as well as the copies. The Petitioners received no answer.

26. The reverberations from the decision were bad enough that Col. Felton and Capt. Frank Arrant made a special trip to the Halifax Weigh Station on April 15, 1996. All staff were required to attend the meeting which was held outside the station; however Russell Taylor was sent on a false trip to so that he would not be there. Approximately thirty people were present. Col. Felton told the officers that he was there to explain. He stated that he was against the decision but there was nothing anyone could do about it. Col. Felton told them that the change was done for Russell Taylor, that everyone should leave the matter alone, and that it was a "done deal." He further told them that the meeting was the only answer they were going to receive about their grievance.

27. After the meeting with the officers, the Petitioners received a letter dated April 16, 1996 from Sid Boyette that they had no appealable grievance because the position had been reallocated; there was no vacancy; and no adverse action had been taken against them. The Petitioners believed they were in Step I of the internal grievance procedure; therefore they did not understand why they had received a letter from the Director of Personnel rather than their supervisors. After Petitioners' attorney wrote two letters to the Secretary of the Department of Transportation, he responded on June 3, 1996 advising them that the matter was administratively closed.

Training and Experience Requirements for the VEO II Position

28. The VEO II position requires an applicant who has graduated from high school *and* has 30 months of experience as a Vehicle Enforcement Officer *or* the applicant must have three years of experience in general investigation, regulatory, or terminal or business operations of motor freight or passenger carriers (emphasis added). Also, as generally stated in most State Personnel job descriptions, the applicant must have an equivalent combination of education and experience.

29. Russell Taylor did not meet these minimum qualifications. On the Personnel Action Form, the Budget Comments section states: "With Mr. Taylor's 2 yrs. experience with the Dept. and his degree along with approx. 1 yr. 4 months previous experience working with the public, we feel he qualifies for 9.3595% over the min. He is doing an excellent job in his position and can now function at this level." For most of Mr. Taylor's first year on the job, he was not certified to do the job, was not in uniform, and was not on the road. He had no law enforcement experience. In fact, on Mr. Taylor's Personnel Action Form dated February 1, 1995, the comments stated that he "has been on trainee progression rate and has now obtained the necessary one year's experience to go to min." As shown above, Mr. Taylor's previous experience was in short term jobs and did not

include general investigation, regulatory, or terminal or business operations of motor freight or passenger carriers.

DOT's Internal Placement and Promotion Policy

30. General Order No. 11, which is DOT's Placement and Promotion Policy, provides in Section V. D. that "[a]ll promotions will be made from within the Section by internal postings."

Remedial Action by Commissioner Janice Faulkner

31. After Janice Faulkner became Commissioner of the Division of Motor Vehicles in 1997, Russell Taylor was removed from the reallocated VEO II position and became a VEO I effective May 15, 1997. Lt. Col. Smith had talked with Mr. Taylor about voluntarily stepping down. He agreed as long as he could keep his salary. The VEO II position was posted on June 10, 1997 as a vacancy and all the Petitioners applied and were interviewed. At the time of the hearing, no decision had been made. ****

32. Commissioner Faulkner has implemented a new hiring procedure. Candidates for vacant positions are interviewed by a team approach. Interviewed candidates are asked the same questions. Applicants who are not BLET certified are not interviewed. One member of the interview team is a DMV captain. None of the panel is a supervisor or coworker of the applicant. The applicants are ranked according to qualifications and experience. Three recommendations are sent in to Lt. Col. Reggie Smith. After discussing the recommended candidates with the Colonel (now Colonel David Richards), a selection is made. The name of the selected candidate goes to the DMV Commissioner and then forwarded to someone in the Department of Transportation. A new manual is in the process of being printed and the eight District Captains have been informed of the new procedure. As of the date of the hearing, fifteen people have been hired using this procedure. All persons hired were recommended by an interview panel.

Based on the foregoing Findings of Fact, the undersigned makes the following:

CONCLUSIONS OF LAW

1. The Office of Administrative Hearings has personal and subject matter jurisdiction to hear this contested case.
2. G.S. §126-7.1 requires that all vacancies for which an agency openly recruits should be posted. The Petitioners have not shown by the greater weight of the evidence that a vacancy existed for which a posting would have been required.
3. Although the Respondent's contend that Position #71316 was reallocated and it just so happened that Russell Taylor was in the position when reallocated, the substantial evidence shows that the reallocation was done for Mr. Taylor's personal benefit as a promotion and to satisfy the concern of a political supporter of the Governor. The word "promotion" is defined in 25 NCAC 1D .0301 as a change in status upward resulting from reassignment to a position with a higher pay grade. The important criteria are greater status and a higher standing in relation to peers after a reclassification. When this occurs, the individual has been promoted. *Edwards v. Univ. of N.C.*, 107 N.C.App. 606, 421 S.E.2d 383, cert. denied, 333 N.C. 167, 424 S.E.2d 909 (1992)(no vacant position but agency reorganization created a promotion for a white male with less seniority and less training over a black female who remained in her non-rank position with no change in title or duties; Court held that State Personnel Commission had jurisdiction over discrimination claim). Further, Mr. Taylor received a pay increase and the title of Sergeant. Therefore, it is concluded that Mr. Taylor was promoted. Because the action taken in this case resulted in the promotion of Taylor, the Office of Administrative Hearings and the State Personnel Commission have jurisdiction over the subject matter in this contested case. *Edwards, supra* at 610.
4. To be promoted to another position, an employee must meet the minimum qualifications as set forth in the class specification. 25 NCAC 1D .0305. Russell Taylor did not meet the minimum qualifications. Further, any salary increase for the promotion must be to the new minimum rate of the grade to which promoted or by 5%, whichever is larger. 25 NCAC 1D .0308(1)(b).

**** As of the date of this decision, the undersigned was advised by counsel that one of the Petitioners had been selected for the VEO II position.

5. G.S. §126-36 provides that any State employee who has reason to believe that promotion was denied him based upon an unlawful State employment practice constituting discrimination based upon his political affiliation shall have the right to appeal to the State Personnel Commission. G.S. §126-34.1(a)(2). By showing that Mr. Taylor was promoted to a VEO II position with significantly less experience and training and that his great uncle was closely affiliated politically with the Department of Transportation, the Petitioners met the burden of establishing a *prima facie* case of political discrimination. The Respondent did not have a legitimate non-discriminatory reason for reallocating Position #71316 and promoting Mr. Taylor with the position. Petitioners were denied the same promotion which Mr. Taylor received because they did not have his political association. Therefore, the promotion was an adverse departmental action which discriminated against the Petitioners. *Compare, Batten v. N.C. Dept. of Correction*, 326 N.C. 338, 345, 347, 389 S.E.2d 35 (1990)(agency action deemed "disciplinary" and Petitioner's case was considered "contested") *overruled on other grounds, Empire Power Co. v. N.C. Dept. of EHNR*, 337 N.C. 569, 447 S.E.2d 168 (1994).

6. "Political affiliation" is not defined in the State Personnel Act. Therefore, the phrase must be given its common and ordinary meaning. *Edwards, supra* at 609. The Act does not say "political party affiliation." To assist in determining the ordinary meaning, courts often use the dictionary. *Edwards, supra* at 609. In *Black's Law Dictionary* (5th Ed. 1979), the word "political" includes the definition: "having to do with ...action of individuals, parties, or interests that seek to control appointment or action of those who manage affairs of a state." Also in *Black's Law Dictionary*, "affiliation" means the act or condition of being associated with another person and it means "less than membership in an organization." For this reason, it is concluded that the term "political affiliation" in G.S. §126-36 does not require that the Petitioners be of different political parties from those in decision-making positions in order to be discriminated against. In this case, the political discrimination occurred as a result of Russell Taylor's relation to Mr. Sonny Boy Joyner and Mr. Joyner's political affiliation with the present administration and specifically, his political clout with the Personnel Department in the Department of Transportation. The Petitioners did not have this political affiliation with anyone in the Hunt administration or the Department of Transportation.

7. Even if the State Personnel Commission were to conclude that no promotion occurred, the Respondent still failed to follow Personnel Commission rules regarding reallocation. 25 NCAC 1F .0303(a) defines reallocation of an established position as the "assignment of a position from one class to another as the result of a change in assigned duties and responsibilities." No evidence was presented of a change in duties or responsibilities for Mr. Taylor.

8. When Russell Taylor's position was reallocated upward, 25 NCAC 1D .0607 was also violated. This regulation provides that when an employee's position is reallocated, the employee must "ordinarily possess the minimum education and experience requirements, or their equivalent, as set forth in the class specification." Although the word "ordinarily" is used, this sentence must be read in conjunction with the second sentence of the rule: "[i]f a classification audit has verified that duties, skills, and knowledges are being demonstrated at a higher level..." the employee may be promoted by waiver of the stated minimum requirements. Mr. Taylor did not meet the minimum requirements nor was a classification audit conducted.

9. 25 NCAC 1D .0605(a), 25 NCAC 1F .0301(b), and 25 NCAC 1F .0307 all provide that Form PD-118s are to be submitted to the Office of State Personnel 30 days prior to the proposed effective date of the reallocation in order that adequate time is available for study and processing of the request. This was not done in this case. The PD-118 was prepared on February 7, 1996. Although Mr. Taylor was notified on March 12, 1996, the effective date of the reallocation was February 10, 1996.

10. Justification for an upgrade of a particular position must be demonstrated by the attachment of a Form PD-102 to the Form PD-118. 25 NCAC 1F .0402(b). This form is to be prepared by the employee in the position. 25 NCAC 1F .0402(c). The evidence shows only that a job description for a VEO II was attached without any justification by data or analysis for the upgrade of the position that Mr. Taylor was in. 25 NCAC 1D .0608. Further, Mr. Taylor was not even aware of the reallocation until he received the letter notifying him of the change in March, 1996. Respondent failed to follow these Personnel Commission rules.

11. There was no evidence to support a conclusion that the Governor's Personnel Office did anything improper to influence the decision to promote Russell Taylor. Also, it is not illegal for the public to recommend a person for a particular position even if the person making the recommendation has political clout. The problem occurred when the Respondent agency abused its discretion by acting on that recommendation in violation of the State Personnel Act, Chapter 126 of the N.C. General Statutes, and State Personnel Commission procedures. *Compare, Joyce v. Winston-Salem State University*, 91 N.C.App. 153, 370 S.E.2d 866, cert. denied, 323 N.C. 476, 373 S.E.2d 862 (1988)(abuse of discretion and improper hiring procedure). Policies and procedures made pursuant to the State Personnel Commission's authority in G.S. §126-4 have the effect of law

CONTESTED CASE DECISIONS

and, to serve the purpose of the State Personnel Act, must be enforced. *N.C. Dept. of Justice v. Eaker*, 90 N.C.App. 30, 38-39, 367 S.E.2d 392, cert. denied, 322 N.C. 836, 371 S.E.2d 279 (1988).

12. The Respondent's reallocation of Position #71316 was an obvious attempt to promote an unqualified candidate without making the position available to more qualified applicants such as the Petitioners. To do so was arbitrary, capricious, and erroneous. Further, the Respondent failed to use proper procedure and failed to act as required by law and rule. By doing so, the Respondent has substantially prejudiced the Petitioners' rights. **G.S. §150B-23(a).**

Based upon the foregoing Findings of Fact and Conclusions of Law, the undersigned makes the following:

RECOMMENDED DECISION

It is recommended that the Petitioners' be reimbursed for their attorney fees and costs if any. The State Personnel Commission has the authority to issue binding corrective orders or take other appropriate action concerning promotions and other issues as the Commission deems justified. **G.S. §126-4(9).** However, no other remedy may be necessary. Commissioner Janice Faulkner has provided the parties with a remedy that exceeds what the undersigned would have had the authority to recommend by demoting Russell Taylor and posting the VEO II Sergeant's position as a vacancy. She also has institutionalized a new hiring procedure which should minimize political patronage abuse within the DMV Enforcement Section of the Department of Transportation.

ORDER

It is hereby ordered that the agency serve a copy of the final decision on the Office of Administrative Hearings, PO Drawer 27447, Raleigh, NC 27611-7447, in accordance with G.S. §150B-36(b).

NOTICE

The agency making the final decision in this contested case is required to give each party an opportunity to file exceptions to this recommended decision and to present written arguments to those in the agency who will make the final decision. G.S. §150B-36(a). The agency is required by G.S. §150B-36(b) to serve a copy of the final decision on all parties and to furnish a copy to the parties' attorney of record. The agency that will make the final decision in this contested case is the State Personnel Commission.

This the 13th day of November, 1997.

Meg Scott Phipps
Administrative Law Judge

STATE OF NORTH CAROLINA

COUNTY OF WAKE

**IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
97 OSP 0469**

WILLIAM G. JORDAN

Petitioner,

v.

NORTH CAROLINA DEPARTMENT OF CORRECTION

Respondent.

RECOMMENDED DECISION

This matter came on for hearing before the undersigned administrative law judge on October 20, 1997, in Raleigh, North Carolina.

The Petitioner was represented by James P. West. Assistant Attorney General Sharon Wilson and Associate Attorney General Buren R. Shields, III represented the Respondent.

ISSUE

Whether the Respondent's termination of Petitioner's employment as a Maintenance Mechanic V should be affirmed or reversed.

FINDINGS OF FACT

1. Petitioner, a career employee subject to the State Personnel Act, was terminated by Respondent effective January 29, 1997, from his position as Maintenance Mechanic V.

2. Respondent's letter of dismissal to Petitioner contained the following paragraph:

Specifically, an investigation has revealed that on September 16, 1996, at approximately 2:30 P.M. inmate Frank Hodges observed you sitting in the canteen dining room reading a newspaper, while inmate Janice McMillan, who is assigned to the Randall Building Canteen was sweeping the floor. Inmate Hodges stated that he observed you follow inmate McMillan as she went into the janitor's closet adjacent to the dining room area and observed you touch inmate McMillan on her breast and buttocks.

3. Petitioner followed the internal grievance procedure of the Respondent and timely filed a petition for a contested case hearing with the Office of Administrative Hearings. He has consistently denied any inappropriate conduct with inmate Janice McMillan.

4. On September 16, 1996, Frank Hodge was a convicted felon confined within the prison system. He was under the Petitioner's supervision and harbored resentment against him.

5. Frank Hodge ignored a subpoena served upon him ordering his appearance to testify as a witness for the Respondent at the hearing on this matter. Respondent did not request a continuance, but proceeded to attempt to prove its case by offering hearsay statements allegedly made by Hodge and others. These statements were excluded.

6. Gene Stephenson has worked at Dillon Supply Company in Raleigh since November of 1958. To the best of his recollection, Petitioner was with him at Dillon Supply on September 16, 1996, from 1:30 p.m. until after 2:45 p.m. Stephenson appeared to be a very credible witness.

7. Petitioner was out of work from January 29, 1997, until early April when he accepted a position with Sears. Petitioner earned a total of \$7,884.80 in regular pay and \$581.62 in overtime pay from his employment at Sears. He quit this job in mid-July because of working equipment and conditions. He has received no unemployment benefits.

8. On August 18, 1997, Petitioner was employed by North Carolina State University as a Maintenance Mechanic V at the same salary he was making with Respondent. Petitioner does not want to return to work for Respondent.

9. Since January 29, 1997, Petitioner has spent approximately \$7,000 for attorney's fees while contesting his dismissal.

10. Respondent's effort to introduce the results of polygraph examinations conducted during the course of its investigation was denied. Without polygraph results, the Director of Prisons Lynn Phillips would not have recommended that Petitioner be terminated.

11. Janice McMillan could not be located by Petitioner to be subpoenaed. In prior statements, Ms. McMillan denied that Petitioner ever touched her inappropriately.

CONCLUSIONS OF LAW

1. The Office of Administrative Hearings has jurisdiction over the parties and the subject matter of this action.

2. The Respondent has failed to prove by substantial evidence that it had just cause to terminate Petitioner's employment. Hearsay statements by convicted felons do not constitute just cause to discharge a career state employee.

3. Polygraph evidence is considered inherently unreliable by our courts and is not admissible in administrative hearings of this nature.

RECOMMENDED DECISION

That the Petitioner be awarded back pay, attorney's fees and any other benefits to which he would have been entitled, and that all documents relating to the allegations at issue in this action be removed and otherwise purged from Petitioner's personnel file.

NOTICE

The final decision in this contested case shall be made by the State Personnel Commission. Each party has the right to file exceptions to the recommended decision and to present written arguments on the decision to this agency. The agency shall serve a copy of the final decision on all parties, the attorneys of record and the Office of Administrative Hearings.

This the 31st day of October, 1997.

Fred G. Morrison Jr.
Senior Administrative Law Judge

The North Carolina Administrative Code (NCAC) has four major subdivisions of rules. Two of these, titles and chapters, are mandatory. The major subdivision of the NCAC is the title. Each major department in the North Carolina executive branch of government has been assigned a title number. Titles are further broken down into chapters which shall be numerical in order. The other two, subchapters and sections are optional subdivisions to be used by agencies when appropriate.

TITLE/MAJOR DIVISIONS OF THE NORTH CAROLINA ADMINISTRATIVE CODE

TITLE	DEPARTMENT	LICENSING BOARDS	CHAPTER
1	Administration	Acupuncture	1
2	Agriculture	Architecture	2
3	Auditor	Auctioneers	4
4	Commerce	Barber Examiners	6
5	Correction	Certified Public Accountant Examiners	8
6	Council of State	Chiropractic Examiners	10
7	Cultural Resources	General Contractors	12
8	Elections	Cosmetic Art Examiners	14
9	Governor	Dental Examiners	16
10	Human Resources	Dietetics/Nutrition	17
11	Insurance	Electrical Contractors	18
12	Justice	Electrolysis	19
13	Labor	Foresters	20
14A	Crime Control & Public Safety	Geologists	21
15A	Environment, Health, and Natural Resources	Hearing Aid Dealers and Fitters	22
16	Public Education	Landscape Architects	26
17	Revenue	Landscape Contractors	28
18	Secretary of State	Marital and Family Therapy	31
19A	Transportation	Medical Examiners	32
20	Treasurer	Midwifery Joint Committee	33
*21	Occupational Licensing Boards	Mortuary Science	34
22	Administrative Procedures	Nursing	36
23	Community Colleges	Nursing Home Administrators	37
24	Independent Agencies	Occupational Therapists	38
25	State Personnel	Opticians	40
26	Administrative Hearings	Optometry	42
27	NC State Bar	Osteopathic Examination & Reg. (Repealed)	44
		Pastoral Counselors, Fee-Based Practicing	45
		Pharmacy	46
		Physical Therapy Examiners	48
		Plumbing, Heating & Fire Sprinkler Contractors	50
		Podiatry Examiners	52
		Professional Counselors	53
		Psychology Board	54
		Professional Engineers & Land Surveyors	56
		Real Estate Appraisal Board	57
		Real Estate Commission	58
		Refrigeration Examiners	60
		Sanitarian Examiners	62
		Social Work Certification	63
		Soil Scientists	69
		Speech & Language Pathologists & Audiologists	64
		Substance Abuse Professionals	68
		Therapeutic Recreation Certification	65
		Veterinary Medical Board	66

Note: Title 21 contains the chapters of the various occupational licensing boards.

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					Action	Date				
This index provides information related to notices, rules and other documents published in the Register. It includes information about rules for which Notice of Rule-Making Proceedings or Notice of Text have been published, rules submitted to the Rules Review Commission and rules codified since the last session of the General Assembly. For assistance contact the Rules Division at 919/733-2678.										
Fiscal Note: S = Rule affects the expenditure or distribution of state funds. L = Rule affects the expenditure or distribution of local government funds. SE = Rule has a substantial economic impact of at least \$55,000,000 in a 12-month period. * = Rule-making agency has determined that the rule does not impact state or local funds and does not have a substantial economic impact. See G.S. 150B-21.4.										
ADMINISTRATIVE HEARINGS										
Rules Division										
26 NCAC 02C	11:19 NCR 1413									
26 NCAC 03	12:08 NCR 621									
ADMINISTRATION										
State Building Commission										
1 NCAC 30G .0101		11:04 NCR 194	11:19 NCR 1414	*	Approve	03/20/97			11:26 NCR 2004	
1 NCAC 30G .0102		11:04 NCR 194	11:19 NCR 1414	*	Object	03/20/97				
1 NCAC 30G .0103		11:04 NCR 194	11:19 NCR 1414	*	Approve	05/15/97	*		11:30 NCR 2314	
1 NCAC 30G .0104		11:04 NCR 194	11:19 NCR 1414	S/L	Approve	03/20/97	*		11:26 NCR 2004	
1 NCAC 30G .0105		11:04 NCR 194	11:19 NCR 1414	S/L	Object	03/20/97			11:30 NCR 2314	
					Approve	05/15/97	*		11:26 NCR 2004	
AGRICULTURE										
2 NCAC 48A .0206	10:24 NCR 3056		11:06 NCR 324	*	Ext. Review	12/19/96				
					Approve	01/16/97	*		11:22 NCR 1717	
2 NCAC 48A .0211	10:24 NCR 3056		11:06 NCR 324	*	Ext. Review	12/19/96				
					Approve	01/16/97	*		11:22 NCR 1717	
2 NCAC 48A .0214	10:24 NCR 3056		11:06 NCR 324	*	Ext. Review	12/19/96			11:22 NCR 1717	
					Approve	01/16/97				
2 NCAC 52A .0104	11:27 NCR 2053		12:03 NCR 169	*						
2 NCAC 52A .0105	11:27 NCR 2053		12:03 NCR 169	*						
2 NCAC 52A .0106	11:27 NCR 2053		12:03 NCR 169	*						
2 NCAC 52A .0107	11:27 NCR 2053		12:03 NCR 169	*						
2 NCAC 52A .0108	11:27 NCR 2053		12:03 NCR 169	*						
2 NCAC 52A .0109	11:27 NCR 2053		12:03 NCR 169	*						
2 NCAC 52B .0212	11:14 NCR 1107		11:22 NCR 1709	*	Approve	05/15/97			11:30 NCR 2314	
2 NCAC 52B .0303	11:14 NCR 1107		11:22 NCR 1709	*	Approve	05/15/97			11:30 NCR 2314	

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2 NCAC 52C .0701	11:14 NCR 1107		11:22 NCR 1709	*	Approve	05/15/97			11:30 NCR 2314	
2 NCAC 52D .0101	11:27 NCR 2053		12:03 NCR 169	*						
Marketing Authority										
2 NCAC 43F .0103	11:14 NCR 1107		11:22 NCR 1706	*	Object	05/15/97				
2 NCAC 43H .0101	11:14 NCR 1107		11:22 NCR 1706	*	Approve	06/19/97	*		12:03 NCR 213	
2 NCAC 43H .0107	11:14 NCR 1107		11:22 NCR 1706	*	Approve	05/15/97			11:30 NCR 2314	
2 NCAC 43L .0202	11:14 NCR 1107		11:22 NCR 1706	*	Object	05/15/97	*		12:03 NCR 213	
2 NCAC 43L .0401	11:14 NCR 1107		11:22 NCR 1706	*	Approve	06/19/97			11:30 NCR 2314	
2 NCAC 43L .0402	11:14 NCR 1107		11:22 NCR 1706	*	Approve	05/15/97			11:30 NCR 2314	
2 NCAC 43L .0403	11:14 NCR 1107		11:22 NCR 1706	*	Approve	05/15/97			11:30 NCR 2314	
2 NCAC 43L .0405	11:14 NCR 1107		11:22 NCR 1706	*	Approve	05/15/97	*		11:30 NCR 2314	
Plant Conservation Board										
2 NCAC 48F .0301	11:07 NCR 407		11:11 NCR 883	*	Approve	03/20/97			11:26 NCR 2004	
2 NCAC 48F .0302	11:07 NCR 407		11:11 NCR 883	*	Approve	03/20/97			11:26 NCR 2004	
2 NCAC 48F .0304	11:07 NCR 407		11:11 NCR 883	*	Approve	03/20/97	*		11:26 NCR 2004	
2 NCAC 48F .0305	11:07 NCR 407		11:11 NCR 883	*	Approve	03/20/97	*		11:26 NCR 2004	
2 NCAC 48F .0306	11:07 NCR 407		11:11 NCR 883	*	Approve	03/20/97	*		11:26 NCR 2004	
Structural Pest Control										
2 NCAC 34 .0102	12:09 NCR 743									
2 NCAC 34 .0302	12:09 NCR 743									
2 NCAC 34 .0303	12:09 NCR 743									
2 NCAC 34 .0306	12:09 NCR 743									
2 NCAC 34 .0308	12:09 NCR 743									
2 NCAC 34 .0309	12:09 NCR 743									
2 NCAC 34 .0312	12:09 NCR 743									
2 NCAC 34 .0313	12:09 NCR 743									
2 NCAC 34 .0323	12:09 NCR 743									
2 NCAC 34 .0325	12:09 NCR 743									
2 NCAC 34 .0328	12:09 NCR 743									

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2 NCAC 34 .0401	12:09 NCR 743									
2 NCAC 34 .0402	12:09 NCR 743									
2 NCAC 34 .0403	12:09 NCR 743									
2 NCAC 34 .0404	12:09 NCR 743									
2 NCAC 34 .0406	12:09 NCR 743									
2 NCAC 34 .0501	12:09 NCR 743									
2 NCAC 34 .0502	12:09 NCR 743									
2 NCAC 34 .0503		11:21 NCR 1651	12:06 NCR 455	*						
2 NCAC 34 .0503	12:09 NCR 743									
2 NCAC 34 .0504	12:09 NCR 743									
2 NCAC 34 .0505	12:09 NCR 743									
2 NCAC 34 .0506	12:09 NCR 743									
2 NCAC 34 .0507	12:09 NCR 743									
2 NCAC 34 .0508	12:09 NCR 743									
2 NCAC 34 .0601	12:09 NCR 743									
2 NCAC 34 .0602		11:21 NCR 1651	12:06 NCR 455	*						
2 NCAC 34 .0602	12:09 NCR 743									
2 NCAC 34 .0604		11:21 NCR 1651	12:06 NCR 455	*						
2 NCAC 34 .0604	12:09 NCR 743									
2 NCAC 34 .0605		11:21 NCR 1651	12:06 NCR 455	*						
2 NCAC 34 .0605	12:09 NCR 743									
2 NCAC 34 .0701	12:09 NCR 743									
2 NCAC 34 .0702	12:09 NCR 743									
2 NCAC 34 .0703	12:09 NCR 743									
2 NCAC 34 .0803	12:09 NCR 743									
2 NCAC 34 .0902	12:09 NCR 743									
2 NCAC 34 .0904	12:09 NCR 743									
2 NCAC 34 .1101	12:09 NCR 743									

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21 NCAC 02 .0208 12:04 NCR 244

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21 NCAC 02 .0210	12:04 NCR 244									
21 NCAC 02 .0213	12:04 NCR 244		12:09 NCR 795	*						
21 NCAC 02 .0901	12:04 NCR 244		12:09 NCR 795	S/L/SE						
21 NCAC 02 .0902	12:04 NCR 244		12:09 NCR 795	S/L/SE						
21 NCAC 02 .0903	12:04 NCR 244		12:09 NCR 795	S/L/SE						
21 NCAC 02 .0904	12:04 NCR 244		12:09 NCR 795	S/L/SE						
21 NCAC 02 .0905	12:04 NCR 244		12:09 NCR 795	S/L/SE						
21 NCAC 02 .0906	12:04 NCR 244		12:09 NCR 795	S/L/SE						
21 NCAC 02 .0907	12:04 NCR 244		12:09 NCR 795	S/L/SE						
21 NCAC 02 .0908	12:04 NCR 244		12:09 NCR 795	S/L/SE						
21 NCAC 02 .0909	12:04 NCR 244		12:09 NCR 795	S/L/SE						
21 NCAC 02 .0910	12:04 NCR 244		12:09 NCR 795	S/L/SE						
AUCTIONEERS LICENSING BOARD										
21 NCAC 04B .0202	11:18 NCR 1368		11:28 NCR 2129	*						
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS										
21 NCAC 08A .0309	12:08 NCR 619									
21 NCAC 08F .0103	12:08 NCR 619									
21 NCAC 08F .0105	12:08 NCR 619									
21 NCAC 08F .0302	12:08 NCR 619									
21 NCAC 08F .0304	12:08 NCR 619									
21 NCAC 08F .0401	12:08 NCR 619									
21 NCAC 08F .0410	12:08 NCR 619									
21 NCAC 08G .0404	12:08 NCR 619									
21 NCAC 08G .0406	12:08 NCR 619									
21 NCAC 08H .0001	12:08 NCR 619									
21 NCAC 08I .0005	12:08 NCR 619									
21 NCAC 08J .0001	12:08 NCR 619									
21 NCAC 08J .0006	12:08 NCR 619									
21 NCAC 08J .0008	12:08 NCR 619									

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21 NCAC 08K .0301	12:08 NCR 619									
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4 NCAC 01E	11:09 NCR 569									
4 NCAC 01F	11:09 NCR 569									
4 NCAC 01H	11:09 NCR 569									
4 NCAC 01I	11:09 NCR 569									
4 NCAC 01J	11:09 NCR 569									
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Community Assistance										
4 NCAC 01K .0501	11:09 NCR 569									
4 NCAC 01K .0502	11:09 NCR 569									
4 NCAC 01K .0503	11:09 NCR 569									
4 NCAC 01K .0504	11:09 NCR 569									
4 NCAC 01K .0505	11:09 NCR 569									
4 NCAC 01K .0506	11:09 NCR 569									
4 NCAC 19L .0401	11:09 NCR 569									
4 NCAC 19L .0403	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0404	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0407	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0501	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0502	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0505	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0706	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0707	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0708	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0802	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0805	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0901	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0906	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0907	11:09 NCR 569		11:14 NCR 1113	*						

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4 NCAC 19L .0911	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1002	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1004	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1009	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1011	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1301	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1302	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1303	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1701	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1702	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1703	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1801	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1802	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1803	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1804	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1805	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .1900	11:09 NCR 569		11:14 NCR 1113	*						
Credit Union Division										
4 NCAC 06C .0205	10:18 NCR 2398		11:29 NCR 2182	*	Approve	08/21/97			12:07 NCR 561	
4 NCAC 06C .0407	10:18 NCR 2398		11:29 NCR 2182	*	Object	08/21/97	*		12:10 NCR 878	
4 NCAC 06C .0409	10:18 NCR 2398		11:29 NCR 2182	*	Approve	09/18/97			12:07 NCR 561	
State Ports Authority										
4 NCAC 13A .0101	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13A .0102	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13A .0105	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13A .0202	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13A .0203	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13A .0204	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13B .0001	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	

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4 NCAC 13B .0002	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13B .0003	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13B .0004	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13B .0005	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13C .0001	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13D .0101	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0101	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0102	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0103	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0201	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0202	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0301	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0302	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0401	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0402	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0403	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0404	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0405	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0501	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0502	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0601	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0602	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0603	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0701	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0702	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0801	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0803	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0901	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0902	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13F .0301	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	

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4 NCAC 13F .0302	10-24 NCR 3056		11-13 NCR 1040	*	Approve	06/19/97			12-03 NCR 213	
COMMUNITY COLLEGES										
23 NCAC 01A .0001	11-18 NCR 1369	11-25 NCR 1919	12-09 NCR 802	*						
23 NCAC 02C .0108	11-18 NCR 1369	11-25 NCR 1919	12-09 NCR 802	*						
23 NCAC 02C .0202	11-18 NCR 1369		12-09 NCR 802	*						
23 NCAC 02C .0207	11-18 NCR 1369		12-09 NCR 802	*						
23 NCAC 02C .0305	11-18 NCR 1369	11-25 NCR 1919	12-09 NCR 802	*						
23 NCAC 02C .0604	11-18 NCR 1369	11-25 NCR 1919	12-09 NCR 802	*						
23 NCAC 02C .0701	11-18 NCR 1369		12-09 NCR 802	*						
23 NCAC 02D .0103	11-18 NCR 1369	11-25 NCR 1919	12-09 NCR 802	*						
23 NCAC 02D .0201	11-18 NCR 1369	11-25 NCR 1919	12-09 NCR 802	*						
23 NCAC 02D .0202	11-17 NCR 1336									
23 NCAC 02D .0202	11-18 NCR 1369	11-25 NCR 1919	12-09 NCR 802	*						
23 NCAC 02D .0203	11-18 NCR 1369	11-25 NCR 1919	12-09 NCR 802	*						
23 NCAC 02D .0301	11-18 NCR 1369	11-25 NCR 1919	12-09 NCR 802	*						
23 NCAC 02D .0323	11-18 NCR 1369	11-25 NCR 1919	12-09 NCR 802	*						
23 NCAC 02D .0324	11-18 NCR 1369	11-25 NCR 1919	12-09 NCR 802	*						
23 NCAC 02D .0327	11-18 NCR 1369	11-25 NCR 1919	12-09 NCR 802	*						
23 NCAC 02E .0101	11-18 NCR 1369	11-25 NCR 1919	12-09 NCR 802	*						
23 NCAC 02E .0102	11-18 NCR 1369	11-25 NCR 1919	12-09 NCR 802	*						
23 NCAC 02E .0201	11-18 NCR 1369	11-25 NCR 1919	12-09 NCR 802	*						
23 NCAC 02E .0203	10-24 NCR 3058		11-09 NCR 585	*	Object Approve	01/16/97 02/20/97	*		11-24 NCR 1832	
23 NCAC 02E .0203	11-18 NCR 1369	11-25 NCR 1919	12-09 NCR 802	*						
23 NCAC 02E .0204	11-18 NCR 1369	11-25 NCR 1919	12-09 NCR 802	*						
23 NCAC 02E .0205	11-18 NCR 1369	11-25 NCR 1919	12-09 NCR 802	*						
23 NCAC 02E .0501	11-18 NCR 1369	11-25 NCR 1919	12-09 NCR 802	*						
23 NCAC 02E .0604	11-18 NCR 1369	11-25 NCR 1919	12-09 NCR 802	*						
COSMETIC ART EXAMINERS										
21 NCAC 14A .0101	12-06 NCR 453		12-11 NCR 925	*						

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21 NCAC 14B .0605	12:06 NCR 925		12:11 NCR 925	*						
21 NCAC 14G .0103	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14G .0107	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14G .0113	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14H .0105	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14H .0113	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14H .0118	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14H .0119	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14I .0104	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14I .0105	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14I .0107	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14I .0109	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14I .0401	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14J .0102	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14J .0103	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14J .0104	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14J .0105	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14J .0202	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14J .0204	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14J .0205	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14J .0206	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14J .0303	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14J .0306	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14J .0307	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14J .0401	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14J .0402	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14J .0403	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14J .0404	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14J .0501	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14K .0101	12:06 NCR 453		12:11 NCR 925	*						

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21 NCAC 14K .0103	12-06 NCR 453		12:11 NCR 925	*						
21 NCAC 14L .0101	12-06 NCR 453		12:11 NCR 925	*						
21 NCAC 14L .0105	12-06 NCR 453		12:11 NCR 925	*						
21 NCAC 14L .0108	12-06 NCR 453		12:11 NCR 925	*						
21 NCAC 14L .0214	12-06 NCR 453		12:11 NCR 925	*						
21 NCAC 14N .0102	12-06 NCR 453		12:11 NCR 925	*						
21 NCAC 14N .0103	12-06 NCR 453		12:11 NCR 925	*						
21 NCAC 14N .0104	12-06 NCR 453		12:11 NCR 925	*						
21 NCAC 14N .0105	12-06 NCR 453		12:11 NCR 925	*						
21 NCAC 14N .0107	12-06 NCR 453		12:11 NCR 925	*						
21 NCAC 14N .0108	12-06 NCR 453		12:11 NCR 925	*						
21 NCAC 14N .0113	12-06 NCR 453		12:11 NCR 925	*						
CRIME CONTROL & PUBLIC SAFETY										
Governor's Crime Commission										
14A NCAC 07 .0313	11-24 NCR 1818		12:01 NCR 6	*						
CULTURAL RESOURCES										
North Carolina Historical Commission										
7 NCAC 04R	12-06 NCR 444									
USS North Carolina Battleship Commission										
7 NCAC 05 .0203		11:19 NCR 1436	Temp Expired							
DENTAL EXAMINERS										
21 NCAC 16B .0303	11-20 NCR 1538		11:25 NCR 1915	*	Approve	09/18/97			12:10 NCR 878	
21 NCAC 16I .0001	11-20 NCR 1538		11:25 NCR 1915	*	Object	09/18/97	*		12:11 NCR 947	
21 NCAC 16I .0002	11-20 NCR 1538		11:25 NCR 1915	*	Approve Extended review	09/18/97				
21 NCAC 16I .0003	11-20 NCR 1538		11:25 NCR 1915	*	Approve	09/18/97			12:10 NCR 878	
21 NCAC 16I .0004	11-20 NCR 1538									
21 NCAC 16I .0005	11-20 NCR 1538									
21 NCAC 16I .0006	11-20 NCR 1538		11:25 NCR 1915	*	Approve	09/18/97			12:10 NCR 878	
21 NCAC 16M .0001	11-20 NCR 1538		11:25 NCR 1915	*	Approve	09/18/97			12:10 NCR 878	

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21 NCAC 16M .0003	11:20 NCR 1538		11:25 NCR 1915	*	Object	09/18/97				
21 NCAC 16R .0001	11:20 NCR 1538		11:25 NCR 1915	*	Approve Extended review	10/16/97 09/18/97	*		12:11 NCR 947	
21 NCAC 16R .0002	11:20 NCR 1538									
21 NCAC 16R .0003	11:20 NCR 1538									
21 NCAC 16R .0004	11:20 NCR 1538		11:25 NCR 1915	*	Approve	09/18/97			12:10 NCR 878	
21 NCAC 16R .0005	11:20 NCR 1538									
21 NCAC 16V .0101	10:16 NCR 2043		11:20 NCR 1556	*						Notice Subject Matter
21 NCAC 16V .0102	10:16 NCR 2043		11:20 NCR 1556	*						Notice Subject Matter
ENVIRONMENT AND NATURAL RESOURCES										
Notice of Intent to Redevelop a Brownfields Property										
15A Public Notice - Division of Water Quality										
15A Administrative Order on Consent - Division of Waste Management										
15A NCAC 01J .0401	12:08 NCR 614		12:09 NCR 833							12:10 NCR 864
15A NCAC 01J .0402	12:08 NCR 614		12:09 NCR 833							12:03 NCR 112
15A NCAC 01K	10:19 NCR 2506									12:03 NCR 158
15A NCAC 01M .0101		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0102		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0201		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0202		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0301		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0302		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0303		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0304		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0305		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0306		11:19 NCR 1439	Temp Expired							
15A NCAC 01N	12:08 NCR 614									
15A NCAC 12B .0901		12:03 NCR 209								
15A NCAC 19G .0102	12:02 NCR 52									
Coastal Resources Commission										

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15A NCAC 07	11:04 NCR 183									
15A NCAC 07H .0106	11:19 NCR 1408		11:27 NCR 2058	*						
15A NCAC 07H .0201	11:22 NCR 1704		11:27 NCR 2058	*						
15A NCAC 07H .0202	11:22 NCR 1704		11:27 NCR 2058	*						
15A NCAC 07H .0203	11:22 NCR 1704		agency withdrew							
15A NCAC 07H .0204	11:22 NCR 1704		11:27 NCR 2058	*						
15A NCAC 07H .0205	11:22 NCR 1704		11:27 NCR 2058	*						
15A NCAC 07H .0206	11:22 NCR 1704		11:27 NCR 2058	*						
15A NCAC 07H .0207	11:22 NCR 1704		agency withdrew							
15A NCAC 07H .0208	11:22 NCR 1704		11:27 NCR 2058	*	Object	08/21/97			12:10 NCR 878	
15A NCAC 07H .0208	11:04 NCR 183		11:11 NCR 907	*	Approve	09/18/97	*			
15A NCAC 07H .0210	12:02 NCR 52		11:27 NCR 2058	*						
15A NCAC 07H .0304	11:15 NCR 1200	11:15 NCR 1226 Temp Expired	11:27 NCR 2069	S	Approve	10/16/97	*		12:11 NCR 947	
15A NCAC 07H .0305	11:15 NCR 1200	12:08 NCR 726 Temp Expired	11:27 NCR 2069	S	Approve	10/16/97			12:11 NCR 947	
15A NCAC 07H .0306	11:04 NCR 183	11:15 NCR 1226 Temp Expired	11:11 NCR 907	*						
15A NCAC 07H .0309	11:08 NCR 442	11:15 NCR 1226 Temp Expired	11:12 NCR 981	*	Approve	01/16/97	*		11:22 NCR 1717	
15A NCAC 07H .1104	12:11 NCR 919		11:11 NCR 907	*						
15A NCAC 07H .1202	11:04 NCR 183		11:11 NCR 907	*	Approve	08/21/97	*		12:07 NCR 561	
15A NCAC 07H .1204	11:04 NCR 183		11:11 NCR 907	*	Object	08/21/97				
15A NCAC 07H .1205	11:04 NCR 183		11:11 NCR 907	*	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 07H .1304	11:04 NCR 183		11:11 NCR 907	*	Approve	08/21/97	*		12:07 NCR 561	
15A NCAC 07H .1404	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1504	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1600	11:15 NCR 1200		11:27 NCR 2071	*						

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15A NCAC 07H .1604	11:15 NCR 1200		11:27 NCR 2071	*						
15A NCAC 07H .1605	11:15 NCR 1200		11:27 NCR 2071	*						
15A NCAC 07H .1704	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1804	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1904	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .2004	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .2104	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07K .0203	11:04 NCR 183		11:11 NCR 907	*	Approve	08/21/97	*		12:07 NCR 561	
15A NCAC 07M .0301	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0302	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0303	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0304	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0305	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0306	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0307	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0308	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0309	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0401	10:18 NCR 2317		11:11 NCR 931	*	Approve	01/16/97	*			
15A NCAC 07M .0402	10:18 NCR 2317		11:11 NCR 931	*	Approve	01/16/97	*			
15A NCAC 07M .0403	10:18 NCR 2317		11:11 NCR 931	*	Object	01/16/97	*			
					Approve	02/20/97	*		11:24 NCR 1832	
15A NCAC 07M .1201	11:19 NCR 1408		11:27 NCR 2058	*						
15A NCAC 07M .1202	11:19 NCR 1408		11:27 NCR 2058	*						
Environmental Management Commission										
15A NCAC 02	10:24 NCR 3045									
15A NCAC 02	11:04 NCR 183									
15A NCAC 02	11:19 NCR 1408									
15A NCAC 02B .0101	11:24 NCR 1818		11:30 NCR 2303	*						
15A NCAC 02B .0202	11:24 NCR 1818		11:30 NCR 2303	*						
15A NCAC 02B .0202	11:02 NCR 75		12:06 NCR 462	S/L/SE						

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15A NCAC 02B .0223	11:02 NCR 75									
15A NCAC 02B .0223	11:03 NCR 109		11:12 NCR 973	*						
15A NCAC 02B .0224	10:18 NCR 2400		11:12 NCR 973	*						
15A NCAC 02B .0227	10:18 NCR 2400		11:30 NCR 2303	*						
15A NCAC 02B .0230	11:24 NCR 1818		11:10 NCR 824	L/SE						
15A NCAC 02B .0231	11:02 NCR 75		11:14 NCR 1136	L						
15A NCAC 02B .0232	11:02 NCR 75		11:10 NCR 824	L						
15A NCAC 02B .0233	11:02 NCR 75		11:14 NCR 1136	S/L/SE						
15A NCAC 02B .0234	11:02 NCR 75		12:06 NCR 462	L						
15A NCAC 02B .0235	11:02 NCR 75		11:10 NCR 824	L						
15A NCAC 02B .0236	11:02 NCR 75		11:14 NCR 1136	S/L/SE						
15A NCAC 02B .0238	11:02 NCR 75		12:06 NCR 462	*						
15A NCAC 02B .0239	11:02 NCR 75		11:10 NCR 824	S/L/SE						
15A NCAC 02B .0240	11:02 NCR 75		11:14 NCR 1136	L						
15A NCAC 02B .0303	10:18 NCR 2400		12:06 NCR 462	S/L/SE						
15A NCAC 02B .0304	11:24 NCR 1818		12:06 NCR 462	S/L/SE						
15A NCAC 02B .0304	11:26 NCR 1976		12:06 NCR 462	S/L/SE						
15A NCAC 02B .0304	11:26 NCR 1984		12:06 NCR 462	S/L/SE						
15A NCAC 02B .0305	11:20 NCR 1534		12:06 NCR 462	S/L/SE						
15A NCAC 02B .0306	11:26 NCR 1976		11:12 NCR 973	*						
15A NCAC 02B .0306	11:26 NCR 1984		12:01 NCR 6	*						
15A NCAC 02B .0307	11:26 NCR 1976		12:01 NCR 6	S						
15A NCAC 02B .0307	11:26 NCR 1984		12:01 NCR 6	S						
15A NCAC 02B .0308	11:20 NCR 1534		12:05 NCR 414	*						
			12:01 NCR 6	*						
			12:01 NCR 6	*						
			12:01 NCR 6	*						
			12:01 NCR 6	*						
			12:01 NCR 6	*						
			11:28 NCR 2121	*						

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15A NCAC 02B .0308	11-26 NCR 1976		12-01 NCR 6	*						
15A NCAC 02B .0308	11-26 NCR 1984		12-01 NCR 6	*						
15A NCAC 02B .0309	11-26 NCR 1976		12-01 NCR 6	*						
15A NCAC 02B .0309	11-26 NCR 1984		12-01 NCR 6	*						
15A NCAC 02B .0311	11-26 NCR 1976		12-01 NCR 6	*						
15A NCAC 02B .0311	11-26 NCR 1984		12-01 NCR 6	*						
15A NCAC 02B .0311	12-10 NCR 865									
15A NCAC 02B .0313	11-24 NCR 1818		12-05 NCR 416	*						
15A NCAC 02B .0313	11-26 NCR 1976		12-01 NCR 6	*						
15A NCAC 02B .0313	11-26 NCR 1984		12-01 NCR 6	*						
15A NCAC 02B .0313	12-10 NCR 865									
15A NCAC 02B .0315	11-24 NCR 1818		12-07 NCR 515	L						
15A NCAC 02B .0316	11-20 NCR 1534									
15A NCAC 02B .0316	11-26 NCR 1976		12-01 NCR 6	*						
15A NCAC 02B .0316	11-26 NCR 1984		12-01 NCR 6	*						
15A NCAC 02B .0317	11-26 NCR 1976		12-01 NCR 6	*						
	11-26 NCR 1984		12-01 NCR 6	*						
15A NCAC 02D .0101	11-15 NCR 1200		12-04 NCR 270	*						
15A NCAC 02D .0101	12-02 NCR 52									
15A NCAC 02D .0104	11-15 NCR 1200		12-04 NCR 270	*						
15A NCAC 02D .0105	11-15 NCR 1200		12-04 NCR 270	*						
15A NCAC 02D .0108	11-15 NCR 1200									
15A NCAC 02D .0202	11-15 NCR 1200		12-04 NCR 270	*						
15A NCAC 02D .0302	11-15 NCR 1200		12-04 NCR 270	*						
15A NCAC 02D .0307	11-15 NCR 1200									
15A NCAC 02D .0501	11-15 NCR 1200									
15A NCAC 02D .0501	11-04 NCR 183									
15A NCAC 02D .0506	10-18 NCR 2318		12-10 NCR 867	*						
15A NCAC 02D .0507	10-18 NCR 2318		12-10 NCR 867	*						
15A NCAC 02D .0508	10-18 NCR 2318		12-10 NCR 867	*						

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15A NCAC 02D .0509	10:18 NCR 2318		12:10 NCR 867	*						
15A NCAC 02D .0510	10:18 NCR 2318		12:10 NCR 867	*						
15A NCAC 02D .0511	10:18 NCR 2318		12:10 NCR 867	*						
15A NCAC 02D .0513	10:18 NCR 2318		12:10 NCR 867	*						
15A NCAC 02D .0514	10:18 NCR 2318		12:10 NCR 867	*						
15A NCAC 02D .0515	10:18 NCR 2318		12:10 NCR 867	*						
15A NCAC 02D .0518	11:19 NCR 1408									
15A NCAC 02D .0521	11:15 NCR 1200									
15A NCAC 02D .0521	11:04 NCR 183		12:10 NCR 867	*						
15A NCAC 02D .0524	11:15 NCR 1200									
15A NCAC 02D .0525	11:15 NCR 1200									
15A NCAC 02D .0531	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02D .0535	10:18 NCR 2317		11:16 NCR 1271	*	Approve	04/17/97			11:29 NCR 2211	
	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02D .0540	10:18 NCR 2318		12:10 NCR 867	*						
15A NCAC 02D .0601	10:18 NCR 2318									
15A NCAC 02D .0602	10:18 NCR 2318									
15A NCAC 02D .0604	10:18 NCR 2318									
15A NCAC 02D .0605	10:18 NCR 2318									
15A NCAC 02D .0606	10:18 NCR 2318									
15A NCAC 02D .0607	10:18 NCR 2318									
15A NCAC 02D .0608	10:18 NCR 2318									
15A NCAC 02D .0610	11:15 NCR 1200									
15A NCAC 02D .0611	11:15 NCR 1200									
15A NCAC 02D .0612	11:15 NCR 1200									
15A NCAC 02D .0613	11:15 NCR 1200									
15A NCAC 02D .0614	11:15 NCR 1200									
15A NCAC 02D .0615	11:15 NCR 1200									
15A NCAC 02D .0806	11:26 NCR 1976									
15A NCAC 02D .0902	11:19 NCR 1408									

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15A NCAC 02D .0903	11:15 NCR 1200									
15A NCAC 02D .0909	11:19 NCR 1408									
15A NCAC 02D .0912	11:15 NCR 1200									
15A NCAC 02D .0914	11:15 NCR 1200		12:10 NCR 867	*						
15A NCAC 02D .0917	11:19 NCR 1408									
15A NCAC 02D .0918	11:19 NCR 1408									
15A NCAC 02D .0919	11:19 NCR 1408									
15A NCAC 02D .0920	11:19 NCR 1408									
15A NCAC 02D .0921	11:19 NCR 1408									
15A NCAC 02D .0922	11:19 NCR 1408									
15A NCAC 02D .0923	11:19 NCR 1408									
15A NCAC 02D .0924	11:19 NCR 1408									
15A NCAC 02D .0927	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02D .0927	10:24 NCR 3045		12:10 NCR 867	*						
15A NCAC 02D .0934	11:19 NCR 1408		12:10 NCR 867	*						
15A NCAC 02D .0938	12:02 NCR 52									
15A NCAC 02D .0948	11:19 NCR 1408									
15A NCAC 02D .0949	11:19 NCR 1408									
15A NCAC 02D .0950	11:19 NCR 1408									
15A NCAC 02D .0951	11:19 NCR 1408									
15A NCAC 02D .0953	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02D .0953	11:26 NCR 1976		12:10 NCR 867	*						
15A NCAC 02D .0954	11:15 NCR 1200									
15A NCAC 02D .1005	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02D .1100	11:08 NCR 442									
15A NCAC 02D .1102	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02D .1103	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02D .1104	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02D .1104	12:02 NCR 52	12:02 NCR 77								
15A NCAC 02D .1105	11:15 NCR 1200									

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15A NCAC 02D .1106	11-08 NCR 442		12-08 NCR 650	SE						
15A NCAC 02D .1106	11-26 NCR 1976			*						
15A NCAC 02D .1107	11-15 NCR 1200		12-04 NCR 270	*						
15A NCAC 02D .1109	10-18 NCR 2317		12-08 NCR 650	*						
15A NCAC 02D .1112	10-18 NCR 2317		12-08 NCR 650	*						
15A NCAC 02D .1201	10-24 NCR 3045		11-16 NCR 1271	L/SE	Approve	04/17/97			11-29 NCR 2211	
15A NCAC 02D .1201	10-18 NCR 2317		12-08 NCR 650	*						
15A NCAC 02D .1202	10-24 NCR 3045		11-16 NCR 1271	L/SE	Approve	04/17/97			11-29 NCR 2211	
15A NCAC 02D .1203	10-24 NCR 3045		11-16 NCR 1271	L/SE	Approve	04/17/97			11-29 NCR 2211	
15A NCAC 02D .1203	11-15 NCR 1200									
15A NCAC 02D .1204	10-24 NCR 3045		11-16 NCR 1271	L/SE	Approve	04/17/97			11-29 NCR 2211	
15A NCAC 02D .1204	11-04 NCR 183		12-04 NCR 270	*						
15A NCAC 02D .1204	10-18 NCR 2318									
15A NCAC 02D .1205	10-24 NCR 3045		11-16 NCR 1271	L/SE	Approve	04/17/97			11-29 NCR 2211	
15A NCAC 02D .1205	10-18 NCR 2317		12-08 NCR 650	*						
15A NCAC 02D .1206	10-24 NCR 3045		11-16 NCR 1271	L/SE	Approve	04/17/97			11-29 NCR 2211	
15A NCAC 02D .1206	11-04 NCR 183		12-04 NCR 270	*						
15A NCAC 02D .1207	10-24 NCR 3045		11-16 NCR 1271	L/SE	Approve	04/17/97			11-29 NCR 2211	
15A NCAC 02D .1208	10-24 NCR 3045		11-16 NCR 1271	L/SE	Approve	04/17/97	*		11-29 NCR 2211	
15A NCAC 02D .1209	10-24 NCR 3045		11-16 NCR 1271	L/SE	Approve	04/17/97	*		11-29 NCR 2211	
15A NCAC 02D .1305	11-04 NCR 183		12-04 NCR 270	*						
15A NCAC 02D .1404	11-15 NCR 1200									
15A NCAC 02D .1500	11-19 NCR 1408									
15A NCAC 02D .1503	11-15 NCR 1200		12-04 NCR 270	*						
15A NCAC 02D .1603	11-15 NCR 1200		12-04 NCR 270	*						
15A NCAC 02D .1701	11-15 NCR 1200		12-04 NCR 270	*						
15A NCAC 02D .1702	11-15 NCR 1200		12-04 NCR 270	*						
15A NCAC 02D .1703	11-15 NCR 1200		12-04 NCR 270	L						
15A NCAC 02D .1704	11-15 NCR 1200		12-04 NCR 270	*						
15A NCAC 02D .1705	11-15 NCR 1200		12-04 NCR 270	L						

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15A NCAC 02D .1706	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02D .1707	11:15 NCR 1200		12:04 NCR 270	L						
15A NCAC 02D .1708	11:15 NCR 1200		12:04 NCR 270	L						
15A NCAC 02D .1709	11:15 NCR 1200		12:04 NCR 270	L						
15A NCAC 02D .1710	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02D .1700	12:02 NCR 52									
15A NCAC 02D .1902	11:19 NCR 1408		12:04 NCR 270	*						
15A NCAC 02D .1903	11:19 NCR 1408		12:04 NCR 270	*						
15A NCAC 02D .2200	11:26 NCR 1976									
15A NCAC 02H .0225	11:15 NCR 1200	11:15 NCR 1225	11:20 NCR 1550	*						
		11:27 NCR 2073	11:27 NCR 2073	*	Object Approve	07/17/97 08/21/97	*		12:07 NCR 561	
15A NCAC 02H .0610	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02H .0610	11:08 NCR 442									
15A NCAC 02H .0610	12:02 NCR 52	12:02 NCR 77								
15A NCAC 02H .1202	11:15 NCR 1200									
15A NCAC 02H .1203	11:15 NCR 1200									
15A NCAC 02H .1204	11:15 NCR 1200									
15A NCAC 02H .1205	11:15 NCR 1200									
15A NCAC 02L	11:15 NCR 1200 11:15 NCR 1204									
15A NCAC 02L .0106		10:19 NCR 2508	11:21 NCR 1639	*						
15A NCAC 02L .0115	11:15 NCR 1200 11:15 NCR 1204	12:08 NCR 713 12:08 NCR 713	11:21 NCR 1639	L						
15A NCAC 02L .0202	10:20 NCR 2591									
15A NCAC 02N	11:15 NCR 1200									
15A NCAC 02N	11:15 NCR 1204									
15A NCAC 02N .0701	11:15 NCR 1200	12:08 NCR 713	11:21 NCR 1639	*						
15A NCAC 02N .0707	11:15 NCR 1204	12:08 NCR 713	11:21 NCR 1639	*						
15A NCAC 02P	11:15 NCR 1200									
15A NCAC 02P .0402	11:15 NCR 1204	10:19 NCR 2512 12:08 NCR 713	11:21 NCR 1639	*						
15A NCAC 02Q .0101	10:18 NCR 2317		12:08 NCR 650	*						

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15A NCAC 02Q .0102	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02Q .0102			11:06 NCR 350	*						
15A NCAC 02Q .0102	11:19 NCR 1408									
15A NCAC 02Q .0102	12:02 NCR 52									
15A NCAC 02Q .0103	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02Q .0108	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02Q .0201	12:02 NCR 52		12:10 NCR 867	*						
15A NCAC 02Q .0207	11:19 NCR 1408		12:04 NCR 270	*						
15A NCAC 02Q .0300	11:26 NCR 1976									
15A NCAC 02Q .0301	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02Q .0302	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02Q .0306	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02Q .0307	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02Q .0312	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02Q .0312	10:24 NCR 3045		11:16 NCR 1271	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02Q .0313	10:24 NCR 3045		11:16 NCR 1271	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02Q .0400	12:04 NCR 240									
15A NCAC 02Q .0501	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02Q .0521	11:15 NCR 1200		12:04 NCR 270	*						
15A NCAC 02Q .0525	10:24 NCR 3045		11:16 NCR 1271	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02Q .0527	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02Q .0527	10:24 NCR 3045		11:16 NCR 1271	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02Q .0607	10:24 NCR 3045		11:16 NCR 1271	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02Q .0700	11:08 NCR 442									
15A NCAC 02Q .0701	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0702	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0703	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0704	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0705	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0706	11:08 NCR 442		12:08 NCR 650	SE						

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15A NCAC 02Q .0707	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0708	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0709	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0710	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0711	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0712	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0713	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0801	12:02 NCR 52		12:08 NCR 650	SE						
15A NCAC 02Q .0803	12:02 NCR 52									
15A NCAC 02Q .0805	10:18 NCR 2317		12:04 NCR 270	S						
15A NCAC 02Q .0806	10:24 NCR 3045		12:04 NCR 270	S						
15A NCAC 02Q .0807	10:24 NCR 3045		12:04 NCR 270	*						
15A NCAC 02R .0100	12:02 NCR 52									
15A NCAC 02R .0200	12:02 NCR 52									
15A NCAC 02R .0300	12:02 NCR 52									
15A NCAC 02R .0400	12:02 NCR 52									
15A NCAC 02R .0500	12:02 NCR 52									
15A NCAC 02R .0501		11:27 NCR 2075	12:08 NCR 650	S						
15A NCAC 02R .0502		11:27 NCR 2075	12:08 NCR 650	*						
15A NCAC 02R .0503		11:27 NCR 2075	12:08 NCR 650	*						
15A NCAC 02R .0504		11:27 NCR 2075	12:08 NCR 650	*						
15A NCAC 02R .0600	12:02 NCR 52									
Health Services, Commission for										
15A NCAC 13A .0100	12:02 NCR 52									
15A NCAC 13A .0101	11:16 NCR 1269		11:20 NCR 1552	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 13A .0101	N/A		N/A		Approve	07/17/97			12:04 NCR 317	
15A NCAC 13A .0105	11:16 NCR 1269		11:20 NCR 1552	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 13A .0107	11:16 NCR 1269		11:20 NCR 1552	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 13A .0109	12:07 NCR 509									
15A NCAC 13A .0110	12:07 NCR 509									

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15A NCAC 13A .0111	11:16 NCR 1269		11:20 NCR 1552	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 13A .0111	12:07 NCR 509									
15A NCAC 13A .0112	11:16 NCR 1269		11:20 NCR 1552	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 13A .0119	11:16 NCR 1269		11:20 NCR 1552	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 13B .1627	11:08 NCR 442		11:13 NCR 1055	*						
15A NCAC 13B .1800	11:08 NCR 442									
15A NCAC 13B 1800	11:26 NCR 1976									
15A NCAC 18A	11:04 NCR 183									
15A NCAC 18A .0134	11:08 NCR 442									
15A NCAC 18A .0168	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96	*		11:22 NCR 1717	
			11:12 NCR 987	*	Approve	01/16/97				
			11:12 NCR 987	*	Object	12/19/96	*		11:22 NCR 1717	
15A NCAC 18A .0176	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
			11:12 NCR 987	*	Approve	01/16/97			11:22 NCR 1717	
15A NCAC 18A .0182	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
			11:12 NCR 987	*	Approve	01/16/97	*		11:22 NCR 1717	
15A NCAC 18A .0183	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
			11:12 NCR 987	*	Approve	01/16/97	*		11:22 NCR 1717	
15A NCAC 18A .0185	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
			11:12 NCR 987	*	Approve	01/16/97			11:22 NCR 1717	
15A NCAC 18A .0187	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
			11:12 NCR 987	*	Approve	01/16/97	*		11:22 NCR 1717	
15A NCAC 18A .0301	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
			11:12 NCR 987	*	Approve	01/16/97	*		11:22 NCR 1717	
15A NCAC 18A .0421	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
			11:12 NCR 987	*	Approve	01/16/97	*		11:22 NCR 1717	
15A NCAC 18A .0614	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
			11:12 NCR 987	*	Approve	01/16/97			11:22 NCR 1717	
15A NCAC 18A .0618	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
			11:12 NCR 987	*	Approve	01/16/97			11:22 NCR 1717	
15A NCAC 18A .0621	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
			11:12 NCR 987	*	Approve	01/16/97			11:22 NCR 1717	
15A NCAC 18A .0901	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96	*		11:22 NCR 1717	
			11:12 NCR 987	*	Approve	01/16/97				
15A NCAC 18A .1301	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96	*		11:22 NCR 1717	
			11:12 NCR 987	*	Approve	01/16/97				
15A NCAC 18A .1319	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96	*		11:22 NCR 1717	
			11:12 NCR 987	*	Approve	01/16/97				
15A NCAC 18A .1937	11:19 NCR 1408	11:20 NCR 1561	12:02 NCR 61	*	Approve	10/16/97	*		11:22 NCR 1717	12:11 NCR 947

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15A NCAC 18A .1938	11:19 NCR 1408	11:20 NCR 1561	12:02 NCR 61	*	Object	10/16/97				
15A NCAC 18A .1958	11:19 NCR 1408	11:20 NCR 1561	12:02 NCR 61	*	Object	10/16/97				
15A NCAC 18A .1961	11:19 NCR 1408	11:20 NCR 1561	12:02 NCR 61	*	Approve	10/16/97	*		12:11 NCR 947	
15A NCAC 18A .2301	12:03 NCR 168		12:07 NCR 519	*						
15A NCAC 18A .2302	12:03 NCR 168		12:07 NCR 519	*						
15A NCAC 18A .2303	12:03 NCR 168		12:07 NCR 519	*						
15A NCAC 18A .2304	12:03 NCR 168		12:07 NCR 519	*						
15A NCAC 18A .2305	12:03 NCR 168		12:07 NCR 519	*						
15A NCAC 18A .2306	12:03 NCR 168		12:07 NCR 519	*						
15A NCAC 18A .2307	12:03 NCR 168		12:07 NCR 519	*						
15A NCAC 18A .2308	12:03 NCR 168		12:07 NCR 519	*						
15A NCAC 18A .2309	12:03 NCR 168		12:07 NCR 519	*						
15A NCAC 18A .2310	12:03 NCR 168		12:07 NCR 519	*						
15A NCAC 18A .2508	12:08 NCR 614									
15A NCAC 18A .2513	12:08 NCR 614									
15A NCAC 18A .2515	12:08 NCR 614									
15A NCAC 18A .2517	12:08 NCR 614									
15A NCAC 18A .2518	12:08 NCR 614									
15A NCAC 18A .2522	12:08 NCR 614									
15A NCAC 18A .2526	12:08 NCR 614									
15A NCAC 18A .2528	12:08 NCR 614									
15A NCAC 18A .2530	12:08 NCR 614									
15A NCAC 18A .2531	12:08 NCR 614									
15A NCAC 18A .2532	12:08 NCR 614									
15A NCAC 18A .2535	12:08 NCR 614									
15A NCAC 18A .2537	12:08 NCR 614									
15A NCAC 18A .2539	12:08 NCR 614									
15A NCAC 18A .2543	12:08 NCR 614									
15A NCAC 18A .2600	12:04 NCR 240									
15A NCAC 18A .2601	12:04 NCR 240			*						
			12:08 NCR 696							

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15A NCAC 18A .2602	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2603	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2604	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2605	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2606	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2607	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2608	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2609	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2610	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2612	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2613	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2614	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2615	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2616	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2617	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2618	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2620	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2621	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2622	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2623	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2624	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2626	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2627	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2628	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2630	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2632	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2633	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2638	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .2643	12:04 NCR 240		12:08 NCR 696	*						
15A NCAC 18A .3101	12:11 NCR 920		12:08 NCR 696	*						

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15A NCAC 18A .3102	12:11 NCR 920									
15A NCAC 18A .3103	12:11 NCR 920									
15A NCAC 18A .3104	12:11 NCR 920									
15A NCAC 18A .3105	12:11 NCR 920									
15A NCAC 18A .3106	12:11 NCR 920									
15A NCAC 18A .3107	12:11 NCR 920									
15A NCAC 18A .3108	12:11 NCR 920									
15A NCAC 18A .3109	12:11 NCR 920									
15A NCAC 18A .3110	12:11 NCR 920									
15A NCAC 18A .3111	12:11 NCR 920									
15A NCAC 19A .0101	11:26 NCR 1976		12:02 NCR 61	S/L	Approve	10/16/97	*		12:11 NCR 947	
15A NCAC 19A .0101	12:02 NCR 52	12:02 NCR 88								
15A NCAC 19A .0102	11:26 NCR 1976		12:02 NCR 61	S/L	Approve	10/16/97	*		12:11 NCR 947	
15A NCAC 19A .0201	11:26 NCR 1976		12:02 NCR 61	*	Approve	10/16/97	*		12:11 NCR 947	
15A NCAC 19A .0203	11:21 NCR 1638		12:02 NCR 61	*	Approve	10/16/97	*		12:11 NCR 947	
15A NCAC 19A .0205	11:26 NCR 1976		12:02 NCR 61	*	Approve	10/16/97	*		12:11 NCR 947	
15A NCAC 19C .0800	12:10 NCR 866									
15A NCAC 19C .0801		12:01 NCR 31								
15A NCAC 19C .0802		12:01 NCR 31								
15A NCAC 19C .0803		12:01 NCR 31								
15A NCAC 21J .0101		11:07 NCR 422	11:20 NCR 1552	*	Approve	04/17/97	*		11:29 NCR 2211	
15A NCAC 21J .0101		11:07 NCR 422	11:20 NCR 1552	*	Approve	04/17/97	*		11:29 NCR 2211	
15A NCAC 24A .0202		11:24 NCR 1827	12:02 NCR 61	S	Approve	10/16/97			12:11 NCR 947	
15A NCAC 24A .0202		12:01 NCR 31	12:07 NCR 519	S						
15A NCAC 26C .0001	11:19 NCR 1408									
15A NCAC 26C .0002	11:19 NCR 1408									
15A NCAC 26C .0003	11:19 NCR 1408									
15A NCAC 26C .0004	11:19 NCR 1408									
15A NCAC 26C .0005	11:19 NCR 1408									
15A NCAC 26C .0006	11:19 NCR 1408									

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Marine Fisheries Commission										
15A NCAC 26C .0007	11-19 NCR 1408									
15A NCAC 03	11-11 NCR 881									
15A NCAC 03	11-20 NCR 1537									
15A NCAC 03	11-26 NCR 1985									
15A NCAC 03I .0101	11-26 NCR 1976		12-05 NCR 418	*						
15A NCAC 03I .0117	11-26 NCR 1976	11-26 NCR 2000	12-05 NCR 418	*						
15A NCAC 03J .0103	11-26 NCR 1976		12-05 NCR 418	*						
15A NCAC 03J .0104	11-26 NCR 1976		12-05 NCR 418	*						
15A NCAC 03J .0202	11-07 NCR 407		11-11 NCR 888	*						
15A NCAC 03J .0202	11-26 NCR 1976		12-05 NCR 418	*						
15A NCAC 03J .0208	11-26 NCR 1976		12-05 NCR 418	*						
15A NCAC 03J .0301	11-26 NCR 1976		12-05 NCR 418	*						
15A NCAC 03L .0102	11-07 NCR 407		11-11 NCR 888	*						
15A NCAC 03M .0204		11-14 NCR 1153	11-18 NCR 1371	*	Approve	04/17/97			11-29 NCR 2211	
15A NCAC 03M .0503		11-18 NCR 1383	11-26 NCR 1988	*	Approve	08/21/97			12-07 NCR 561	
15A NCAC 03M .0503	11-20 NCR 1537	12-05 NCR 431	12-05 NCR 418	*						
15A NCAC 03M .0506		11-18 NCR 1383	11-26 NCR 1988	*	Approve	08/21/97	*		12-07 NCR 561	
15A NCAC 03M .0506	11-26 NCR 1976		12-05 NCR 418	*						
15A NCAC 03M .0507		11-11 NCR 938 Temp Expired	11-26 NCR 1988	*	Approve	08/21/97			12-07 NCR 561	
15A NCAC 03M .0513	11-26 NCR 1976		12-05 NCR 418	*						
15A NCAC 03M .0514		11-18 NCR 1383	11-26 NCR 1088	*	Approve	08/21/97			12-07 NCR 561	
15A NCAC 03O .0204	N/A	N/A	N/A		Approve	08/21/97			12-07 NCR 561	
15A NCAC 03O .0211	11-26 NCR 1976		12-05 NCR 418	*						
Parks and Recreation Commission										
15A NCAC 12K .0101	12-02 NCR 52									
15A NCAC 12K .0103	12-02 NCR 52									
15A NCAC 12K .0104	12-02 NCR 52									
15A NCAC 12K .0105	12-02 NCR 52									

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Radiation Protection										
15A NCAC 11 .0104	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0117	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0301	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0339	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0340	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0353	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0358	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0401	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0402	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0403	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0404	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0405	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0406	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0407	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0408	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0409	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0410	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0411	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0412	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0413	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0414	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0415	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0416	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0417	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0418	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0419	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0420	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0421	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0422	12:04 NCR 240		12:09 NCR 749	*						

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15A NCAC 11 .0423	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0424	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0425	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0426	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0427	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .0428	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .1100	12:04 NCR 240									
15A NCAC 11 .1400	12:04 NCR 240									
15A NCAC 11 .1601	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .1603	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .1611	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .1620	12:04 NCR 240		12:09 NCR 749	*						
15A NCAC 11 .1647	12:04 NCR 240		12:09 NCR 749	*						
Soil & Water Conservation										
15A NCAC 06E .0104	N/A	N/A	N/A		Object	10/16/97				
15A NCAC 06E .0105	N/A	N/A	N/A		Object	10/16/97				
15A NCAC 06E .0106	N/A	N/A	N/A		Approve	10/16/97			12:11 NCR 947	
15A NCAC 06E .0107	N/A	N/A	N/A		Approve	10/16/97			12:11 NCR 947	
15A NCAC 06E .0108	N/A	N/A	N/A		Approve	10/16/97			12:11 NCR 947	
Water Pollution Control System Operators Certification Commission										
15A NCAC 08A	11:26 NCR 1976									
15A NCAC 08B	11:26 NCR 1976									
15A NCAC 08C	11:26 NCR 1976									
15A NCAC 08D	11:26 NCR 1976									
15A NCAC 08E	11:26 NCR 1976									
15A NCAC 08F	11:26 NCR 1976									
15A NCAC 08F .0101		11:19 NCR 1442	11:28 NCR 2123	*	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0102		11:19 NCR 1442	11:28 NCR 2123	*	Withheld	09/18/97				
15A NCAC 08F .0201		11:19 NCR 1442	11:28 NCR 2123	S	Object	09/18/97	*			
15A NCAC 08F .0202		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97			12:10 NCR 878	

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15A NCAC 08F .0203		11:19 NCR 1442	11:28 NCR 2123	S	Object	09/18/97				
15A NCAC 08F .0301		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0401		11:19 NCR 1442	11:28 NCR 2123	*	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0402		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0403		11:19 NCR 1442	11:28 NCR 2123	S	Withheld	09/18/97				
15A NCAC 08F .0404		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97			12:10 NCR 878	
15A NCAC 08F .0405		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0406		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0407		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0501		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0502		11:19 NCR 1442	11:28 NCR 2123	*	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0503		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97			12:10 NCR 878	
15A NCAC 08F .0504		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97			12:10 NCR 878	
15A NCAC 08F .0505		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0506		11:19 NCR 1442	11:28 NCR 2123	*	Approve	09/18/97			12:10 NCR 878	
Water Treatment Facility Certification Board										
15A NCAC 18D .0105	10:18 NCR 2317		12:11 NCR 922	*						
15A NCAC 18D .0201	10:18 NCR 2317		12:11 NCR 922	S/L						
15A NCAC 18D .0307	10:18 NCR 2317		12:11 NCR 922	*						
15A NCAC 18D .0308	10:18 NCR 2317		12:11 NCR 922	S/L						
15A NCAC 18D .0309	10:18 NCR 2317		12:11 NCR 922	*						
15A NCAC 18D .0405	10:18 NCR 2317		12:11 NCR 922	*						
15A NCAC 18D .0701	10:18 NCR 2317		12:11 NCR 922	*						
Wildlife Resources Commission										
15A NCAC 10B .0100	12:06 NCR 445									
15A NCAC 10B .0115	11:11 NCR 882	Agency Withdrew Rule-making								
15A NCAC 10B .0116	11:12 NCR 959		11:18 NCR 1372	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 10B .0200	12:06 NCR 445									
15A NCAC 10B .0208	11:02 NCR 76		11:08 NCR 495	*	Agency Withdrew Rule-making					
15A NCAC 10B .0300	12:06 NCR 445									

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15A NCAC 10B .0400	12:06 NCR 445									
15A NCAC 10C .0101	12:06 NCR 445									
15A NCAC 10C .0102	12:06 NCR 445									
15A NCAC 10C .0103	12:06 NCR 445									
15A NCAC 10C .0104	12:06 NCR 445									
15A NCAC 10C .0105	12:06 NCR 445									
15A NCAC 10C .0106	12:06 NCR 445									
15A NCAC 10C .0107	11:02 NCR 76									
15A NCAC 10C .0107	12:06 NCR 445		Agency Withdrew Rule-making							
15A NCAC 10C .0108	12:06 NCR 445									
15A NCAC 10C .0109	12:06 NCR 445									
15A NCAC 10C .0110	12:06 NCR 445									
15A NCAC 10C .0111	12:06 NCR 445									
15A NCAC 10C .0203	12:06 NCR 445									
15A NCAC 10C .0205	12:06 NCR 445									
15A NCAC 10C .0206	12:06 NCR 445									
15A NCAC 10C .0211	12:06 NCR 445									
15A NCAC 10C .0212	12:06 NCR 445									
15A NCAC 10C .0215	12:06 NCR 445									
15A NCAC 10C .0302	12:06 NCR 445									
15A NCAC 10C .0304	12:06 NCR 445									
15A NCAC 10C .0305	12:06 NCR 445									
15A NCAC 10C .0401	11:02 NCR 76		Agency Withdrew Rule-making							
15A NCAC 10C .0401	11:07 NCR 408		Agency Withdrew Rule-making							
15A NCAC 10C .0401	12:06 NCR 445									
15A NCAC 10C .0402	12:06 NCR 445									
15A NCAC 10C .0404	12:06 NCR 445									
15A NCAC 10C .0407	12:06 NCR 445									
15A NCAC 10D .0001	12:06 NCR 445									
15A NCAC 10D .0002	11:02 NCR 76									
			11:08 NCR 495	*						Agency Withdrew Rule-making

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15A NCAC 10D .0002	12:06 NCR 445									
15A NCAC 10D .0003	12:06 NCR 445									
15A NCAC 10D .0004	12:06 NCR 445									
15A NCAC 10E .0001	12:06 NCR 445									
15A NCAC 10E .0002	12:06 NCR 445									
15A NCAC 10E .0003	12:06 NCR 445									
15A NCAC 10E .0004	12:06 NCR 445									
15A NCAC 10F .0100	12:06 NCR 445									
15A NCAC 10F .0300	11:01 NCR 13									
15A NCAC 10F .0302	11:05 NCR 272	Agency Withdrew Rule-making	11:14 NCR 1150	*	Approve	03/20/97	*		11:26 NCR 2004	
15A NCAC 10F .0305	12:10 NCR 865									
15A NCAC 10F .0307	11:08 NCR 451		11:14 NCR 1150	*	Approve	03/20/97	*		11:26 NCR 2004	
15A NCAC 10F .0308	11:21 NCR 1638		11:29 NCR 2206	*	Approve	09/18/97			12:10 NCR 878	
15A NCAC 10F .0311	12:01 NCR 5		12:07 NCR 517	*						
15A NCAC 10F .0311	12:11 NCR 920									
15A NCAC 10F .0317	11:13 NCR 1039		11:19 NCR 1427	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 10F .0317	12:11 NCR 920									
15A NCAC 10F .0318	12:06 NCR 445									
15A NCAC 10F .0327	11:14 NCR 1109		11:20 NCR 1551	*	Approve	04/17/97	*		11:29 NCR 2211	
15A NCAC 10F .0327	12:11 NCR 920		12:11 NCR 921	*						
15A NCAC 10F .0330	12:05 NCR 337		N/A							
15A NCAC 10F .0330	N/A	N/A	N/A		Approve	09/18/97			12:10 NCR 878	
15A NCAC 10F .0333	12:01 NCR 5		12:07 NCR 517	*						
15A NCAC 10F .0339	11:13 NCR 1039		11:19 NCR 1427	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 10F .0339	11:21 NCR 1638		11:29 NCR 2206	*	Approve	09/18/97			12:10 NCR 878	
15A NCAC 10F .0339	12:05 NCR 337		12:11 NCR 921	*						
15A NCAC 10F .0345	12:06 NCR 445									
15A NCAC 10F .0347	12:06 NCR 445									
15A NCAC 10F .0355	11:25 NCR 1905	12:08 NCR 728	12:01 NCR 18	*	Approve	10/16/97			12:11 NCR 947	
15A NCAC 10F .0360	12:01 NCR 5		12:07 NCR 517	*						

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15A NCAC 10F .0367 11.16 NCR 1269
 15A NCAC 10G 11.01 NCR 13
 15A NCAC 10G .0100 11.02 NCR 76
 15A NCAC 10G .0400 12.06 NCR 445
 15A NCAC 10H .0100 12.06 NCR 445
 15A NCAC 10H .0300 12.06 NCR 445
 15A NCAC 10H .0800 12.06 NCR 445
 15A NCAC 10H .0900 12.06 NCR 445
 15A NCAC 10H .1000 12.06 NCR 445
 15A NCAC 10H .1100 12.06 NCR 445
 15A NCAC 10H .1200 12.06 NCR 445
 15A NCAC 10I .0001 12.06 NCR 445
 15A NCAC 10I .0002 12.06 NCR 445
 15A NCAC 10I .0003 12.06 NCR 445
 15A NCAC 10I .0004 12.06 NCR 445
 15A NCAC 10I .0005 12.06 NCR 445
 15A NCAC 10J .0001 12.06 NCR 445
 15A NCAC 10J .0002 12.06 NCR 445
 15A NCAC 10J .0003 12.06 NCR 445
 15A NCAC 10J .0004 12.06 NCR 445

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Voting Rights Act 12.01 NCR 4
 Voting Rights Act 12.02 NCR 50
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21 NCAC 12.0202 11.24 NCR 1828 12.07 NCR 524

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21 NCAC 12 .0204	11:28 NCR 2117		12:04 NCR 292	*						
21 NCAC 12 .0503	11:28 NCR 2117									
21 NCAC 12 .0504	11:28 NCR 2117									
21 NCAC 12 .0901	11:28 NCR 2117		12:04 NCR 292	*						
21 NCAC 12 .0902	11:28 NCR 2117									
21 NCAC 12 .0903	11:28 NCR 2117		12:04 NCR 292	*						
21 NCAC 12 .0904	11:28 NCR 2117		12:04 NCR 292	*						
21 NCAC 12 .0905	11:28 NCR 2117									
21 NCAC 12 .0906	11:28 NCR 2117									
21 NCAC 12 .0907	11:28 NCR 2117									
21 NCAC 12 .0908	11:28 NCR 2117									
21 NCAC 12 .0909	11:28 NCR 2117									
21 NCAC 12 .0910	11:28 NCR 2117									
21 NCAC 12 .0911	11:28 NCR 2117									
21 NCAC 12 .0912	11:28 NCR 2117									

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Number 112 - Eff. 05/22/97										12:01 NCR 1
Number 113 - Eff. 06/12/97										12:01 NCR 1
Number 114 - Eff. 06/26/97										12:03 NCR 110
Number 115 - Eff. 07/03/97										12:03 NCR 110
Number 116 - Eff. 07/21/97										12:04 NCR 227
Number 117 - Eff. 09/07/97										12:07 NCR 505
Number 118 - Eff. 09/15/97										12:08 NCR 612
Number 119 - Eff. 10/01/97										12:08 NCR 612
Number 120 - Eff. 10/22/97										12:11 NCR 917

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24 NCAC 01P .0101	11:14 NCR 1154	11:28 NCR 2132	S	Approve	07/17/97				12:04 NCR 317	
24 NCAC 01P .0102	11:14 NCR 1154	11:28 NCR 2132	S	Approve	07/17/97				12:04 NCR 317	
24 NCAC 01P .0103	11:14 NCR 1154	11:28 NCR 2132	S	Object	07/17/97					
				Approve	08/21/97	*			12:07 NCR 561	
24 NCAC 01P .0201	11:14 NCR 1154	11:28 NCR 2132	S	Approve	07/17/97	*			12:04 NCR 317	

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24 NCAC 01P .0202		11:14 NCR 1154	11:28 NCR 2132	S	Approve	07/17/97	*		12:04 NCR 317	
24 NCAC 01P .0203		11:14 NCR 1154	11:28 NCR 2132	S	Approve	07/17/97			12:04 NCR 317	
HEALTH AND HUMAN SERVICES										
10 NCAC 01B .0501	11:23 NCR 1779		12:09 NCR 747	*						
10 NCAC 01B .0502	11:23 NCR 1779		12:09 NCR 747	*						
Aging										
10 NCAC 22	10:23 NCR 2956									
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10 NCAC 03U	12:08 NCR 617									
10 NCAC 03U .0302	11:24 NCR 1817									
10 NCAC 03U .0506	11:24 NCR 1817									
10 NCAC 03U .0509	11:24 NCR 1817									
10 NCAC 03U .0601	11:24 NCR 1817									
10 NCAC 03U .0602	11:24 NCR 1817	12:08 NCR 710								
10 NCAC 03U .0604	11:03 NCR 109		11:09 NCR 571	*	Approve	03/20/97			11:26 NCR 2004	
10 NCAC 03U .0604	11:24 NCR 1817	12:08 NCR 710								
10 NCAC 03U .0605	11:24 NCR 1817	12:08 NCR 710								
10 NCAC 03U .0700	11:08 NCR 449									
10 NCAC 03U .0705	11:14 NCR 1108		11:27 NCR 2054	*						
10 NCAC 03U .0705	11:24 NCR 1817	12:08 NCR 710								
10 NCAC 03U .0707	11:08 NCR 449		11:17 NCR 1338	*	Object Approve	03/20/97 04/17/97	*		11:29 NCR 2211	
10 NCAC 03U .0714	11:24 NCR 1817									
10 NCAC 03U .0802	11:24 NCR 1817									
10 NCAC 03U .0803	11:24 NCR 1817									
10 NCAC 03U .0901	11:08 NCR 449		11:17 NCR 1338	*						
10 NCAC 03U .1402	11:24 NCR 1817									
10 NCAC 03U .1403	11:24 NCR 1817									
10 NCAC 03U .1717	11:14 NCR 1108		11:27 NCR 2054	*						
10 NCAC 03U .1717	11:24 NCR 1817									

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					Action	Date				
10 NCAC 03U .2500	11:29 NCR 2181									
10 NCAC 03U .2510	11:08 NCR 449									
10 NCAC 03U .2603	11:24 NCR 1817									
10 NCAC 03U .2606	11:08 NCR 449									
10 NCAC 03U .2610	11:24 NCR 1817									
10 NCAC 03U .2611	11:24 NCR 1817									
Facility Services										
Public Notice - Draft 1998 State Medical Facilities Plan										
Abbreviated Notice of Temporary Rule-making										
10 NCAC 03	10:18 NCR 2399									12:01 NCR 2
10 NCAC 03R .0214	12:08 NCR 617									12:06 NCR 443
10 NCAC 03R .3000	11:23 NCR 1780									
10 NCAC 03R .3001	10:23 NCR 2956		11:06 NCR 328	S/L/SE						
10 NCAC 03R .3002	11:21 NCR 1655		12:04 NCR 246	*						
10 NCAC 03R .3020	10:23 NCR 2956		11:06 NCR 328	S/L/SE						
10 NCAC 03R .3030	10:23 NCR 2956		11:06 NCR 328	S/L/SE	Object Approve	11/21/96 03/20/97	*		11:26 NCR 2004	
10 NCAC 03R .3030	10:21 NCR 2699		11:08 NCR 452	S/L/SE	Object Approve	10/17/96 11/21/96 03/20/97	*			11:11 NCR 888
10 NCAC 03R .3031	11:23 NCR 1780		11:08 NCR 459		Extend Review	03/20/97	*		11:26 NCR 2004	
10 NCAC 03R .3032	10:23 NCR 2956		11:06 NCR 328	S/L/SE	Approve	08/21/97	*		12:07 NCR 561 12:10 NCR 878	
10 NCAC 03R .3033	10:21 NCR 2699		11:08 NCR 452	S/L/SE	Object Extend Review	01/16/97 03/20/97	*			
10 NCAC 03R .3034	10:21 NCR 2699		11:08 NCR 452	S/L/SE	Approve Object	08/21/97 01/16/97	*		12:07 NCR 561	
10 NCAC 03R .3035	10:21 NCR 2699		11:08 NCR 452	S/L/SE	Return to agency	03/20/97				
10 NCAC 03R .3036	10:21 NCR 2699		11:08 NCR 452	S/L/SE	Object	01/16/97				
10 NCAC 03R .3037	10:21 NCR 2699		11:08 NCR 452	S/L/SE	Return to agency	03/20/97				
					Object	01/16/97				
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10 NCAC 03R .3038		10-21 NCR 2699	11-08 NCR 452	S/L/SE	Object	01/16/97				
10 NCAC 03R .3040	10-23 NCR 2956		11-06 NCR 328	S/L/SE	Return to agency	03/20/97				
10 NCAC 03R .3050	10-23 NCR 2956		11-06 NCR 328	S/L/SE						
10 NCAC 03R .3051		11-21 NCR 1655	12-04 NCR 246	*						
10 NCAC 03R .3052		11-21 NCR 1655	12-04 NCR 246	*						
10 NCAC 03R .3053		11-21 NCR 1655	12-04 NCR 246	*						
10 NCAC 03R .3053		11-22 NCR 1713								
10 NCAC 03R .3053		12-06 NCR 481								
10 NCAC 03R .3054		11-21 NCR 1655	12-04 NCR 246	*						
10 NCAC 03R .3055		11-21 NCR 1655	12-04 NCR 246	*						
10 NCAC 03R .3056		11-21 NCR 1655	12-04 NCR 246	*						
10 NCAC 03R .3057		11-21 NCR 1655	12-04 NCR 246	*						
10 NCAC 03R .3058		11-21 NCR 1655	12-04 NCR 246	*						
10 NCAC 03R .3059		11-21 NCR 1655	12-04 NCR 246	*						
10 NCAC 03R .3060		11-21 NCR 1655	12-04 NCR 246	*						
10 NCAC 03R .3060		12-06 NCR 481								
10 NCAC 03R .3061		11-21 NCR 1655	12-04 NCR 246	*						
10 NCAC 03R .3061		12-06 NCR 481								
10 NCAC 03R .3062		11-21 NCR 1655	12-04 NCR 246	*						
10 NCAC 03R .3062		12-06 NCR 481								
10 NCAC 03R .3063		11-21 NCR 1655	12-04 NCR 246	*						
10 NCAC 03R .3063		12-06 NCR 481								
10 NCAC 03R .3064		11-21 NCR 1655	12-04 NCR 246	*						
10 NCAC 03R .3064		12-06 NCR 481								
10 NCAC 03R .3065		11-21 NCR 1655	12-04 NCR 246	*						
10 NCAC 03R .3065		12-06 NCR 481								
10 NCAC 03R .3066		11-21 NCR 1655	12-04 NCR 246	*						
10 NCAC 03R .3066		12-06 NCR 481								
10 NCAC 03R .3067		11-21 NCR 1655	12-04 NCR 246	*						

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10 NCAC 03R .3068		11:21 NCR 1655	12:04 NCR 246	*						
10 NCAC 03R .3069		11:21 NCR 1655	12:04 NCR 246	*						
10 NCAC 03R .3070		11:21 NCR 1655	12:04 NCR 246	*						
10 NCAC 03R .3071		11:21 NCR 1655	12:04 NCR 246	*						
10 NCAC 03R .3072		11:21 NCR 1655	12:04 NCR 246	S/L/SE						
10 NCAC 03R .3072		12:06 NCR 481								
10 NCAC 03R .3073		11:21 NCR 1655	12:04 NCR 246	S/L/SE						
10 NCAC 03R .3074		11:21 NCR 1655	12:04 NCR 246	S/L/SE						
10 NCAC 03R .3075		11:21 NCR 1655	12:04 NCR 246	*						
10 NCAC 03R .3076		11:21 NCR 1655	12:04 NCR 246	S/L/SE						
10 NCAC 03R .3077		11:21 NCR 1655	12:04 NCR 246	*						
10 NCAC 03R .3078		11:21 NCR 1655	12:04 NCR 246	S/L/SE						
10 NCAC 03R .3079		11:21 NCR 1655	12:04 NCR 246	S/L/SE						
10 NCAC 03R .3080		11:21 NCR 1655	12:04 NCR 246	*						
10 NCAC 03R .3081		11:21 NCR 1655	12:04 NCR 246	*						
10 NCAC 03R .3082		11:21 NCR 1655	12:04 NCR 246	*						
10 NCAC 03R .3083		11:21 NCR 1655	12:04 NCR 246	*						
10 NCAC 03R .3084		11:21 NCR 1655	12:04 NCR 246	*						
10 NCAC 03R .3085		11:21 NCR 1655	12:04 NCR 246	*						
10 NCAC 03R .3086		11:21 NCR 1655	12:04 NCR 246	*						
10 NCAC 03R .3087		11:21 NCR 1655	12:04 NCR 246	*						
10 NCAC 03R .3088		11:21 NCR 1655	12:04 NCR 246	*						
10 NCAC 03R .6001	11:22 NCR 1704									

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10 NCAC 26B .0113	10:16 NCR 1721		11:28 NCR 2118	S/L	Agency withdrew	09/18/97			12:02 NCR 46	
10 NCAC 26B .0123		11:19 NCR 1436	11:24 NCR 1824	*	Approve	10/16/97	*		12:11 NCR 947	
10 NCAC 26D .0110	12:06 NCR 444				Approve	06/19/97	*		12:03 NCR 213	
10 NCAC 26G .0707	11:08 NCR 450	11:15 NCR 1205	11:18 NCR 1371	*	Approve	04/17/97			11:29 NCR 2211	

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10 NCAC 2611 .0101	11:14 NCR 1108									
10 NCAC 2611 .0102	11:14 NCR 1108									
10 NCAC 2611 .0102	12:09 NCR 743									
10 NCAC 2611 .0104	11:16 NCR 1268		11:23 NCR 1781	S/L	Approve	05/15/97	*		11:30 NCR 2314	
10 NCAC 2611 .0211	12:09 NCR 743									
10 NCAC 2611 .0212		11:15 NCR 1205	Temp Expired							
10 NCAC 2611 .0212		12:09 NCR 827								
10 NCAC 2611 .0213		11:15 NCR 1205	Temp Expired							
10 NCAC 2611 .0213	11:18 NCR 1368		12:07 NCR 511	S/SE						
10 NCAC 2611 .0213		11:26 NCR 1997								
10 NCAC 2611 .0213		12:09 NCR 827								
10 NCAC 2611 .0401	12:08 NCR 618									
10 NCAC 2611 .0506	10:21 NCR 2686									
10 NCAC 2611 .0506		11:19 NCR 1438	11:29 NCR 2205	S/L/SE	Approve	09/18/97	*		12:10 NCR 878	
10 NCAC 2611 .0602		12:04 NCR 313								
10 NCAC 26K .0106	12:05 NCR 337									
10 NCAC 26K .0106	12:06 NCR 444									
10 NCAC 26M .0201	12:06 NCR 444									
10 NCAC 26M .0202	12:06 NCR 444									
10 NCAC 26M .0203	12:05 NCR 337									
10 NCAC 26M .0203	12:06 NCR 444									
10 NCAC 26M .0204	12:06 NCR 444									
10 NCAC 50A .0604	12:06 NCR 444									
10 NCAC 50B .0202		11:10 NCR 841	11:28 NCR 2118	*	Approve	07/17/97	*		12:04 NCR 317	
10 NCAC 50B .0202	12:06 NCR 444									
10 NCAC 50B .0404		11:10 NCR 841	11:28 NCR 2118	L	Approve	07/17/97			12:04 NCR 317	
10 NCAC 50B .0409		11:10 NCR 841	11:28 NCR 2118	*	Approve	07/17/97			12:04 NCR 317	
10 NCAC 50D .0101	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0102	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0103	10:24 NCR 3057	11:04 NCR 196	Temp Expired							

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10 NCAC 50D .0201	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0301	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0302	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0401	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0402	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0501	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0502	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0503	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
Medical Care Commission										
10 NCAC 03B	11:16 NCR 1268									
10 NCAC 03B .1001		11:20 NCR 1560	11:29 NCR 2187	*	Approve	10/16/97	*		12:11 NCR 947	
10 NCAC 03B .1002		11:20 NCR 1560	11:29 NCR 2187	*	Approve	10/16/97	*		12:11 NCR 947	
10 NCAC 03C .3707	11:20 NCR 1534		11:29 NCR 2187	*	Approve	10/16/97			12:11 NCR 947	
10 NCAC 03D .0801	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0802	11:23 NCR 1779		12:05 NCR 339	S/L						
10 NCAC 03D .0803	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0806	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0901	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0902	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0904	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0905	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0907	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0908	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0909	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0911	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0913	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0915	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0916	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0917	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0918	11:23 NCR 1779		12:05 NCR 339	*						

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10 NCAC 03D .0919	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0920	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0921	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0922	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0923	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0924	11:23 NCR 1779		12:05 NCR 339	S/L						
10 NCAC 03D .0925	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .0926	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .1001	11:23 NCR 1779		12:05 NCR 339	S/L						
10 NCAC 03D .1002	11:23 NCR 1779		12:05 NCR 339	S/L						
10 NCAC 03D .1003	11:23 NCR 1779		12:05 NCR 339	S/L						
10 NCAC 03D .1004	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .1103	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .1202	11:23 NCR 1779		12:05 NCR 339	S/L						
10 NCAC 03D .1203	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .1204	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .1205	11:23 NCR 1779		12:05 NCR 339	S/L						
10 NCAC 03D .1206	11:23 NCR 1779		12:05 NCR 339	S/L						
10 NCAC 03D .1301	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .1302	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .1401	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .1403	11:23 NCR 1779		12:05 NCR 339	*						
10 NCAC 03D .1500	11:23 NCR 1779									
10 NCAC 03D .2001	10:18 NCR 2399		11:29 NCR 2187	*	Object	10/16/97				
10 NCAC 03D .2101	10:18 NCR 2399		11:29 NCR 2187	*	Object	10/16/97				
10 NCAC 03D .2102	10:18 NCR 2399		11:29 NCR 2187	*	Object	10/16/97				
10 NCAC 03D .2103	10:18 NCR 2399		11:29 NCR 2187	*	Approve	10/16/97	*		12:11 NCR 947	
10 NCAC 03D .2104	10:18 NCR 2399		11:29 NCR 2187	*	Approve	10/16/97	*		12:11 NCR 947	
10 NCAC 03D .2105	10:18 NCR 2399		11:29 NCR 2187	*	Object	10/16/97				
10 NCAC 03D .2106	10:18 NCR 2399		11:29 NCR 2187	*	Object	10/16/97				

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10 NCAC 03D .2201	10:18 NCR 2399		11:29 NCR 2187	*	Object	10/16/97				
10 NCAC 03D .2202	10:18 NCR 2399		11:29 NCR 2187	*	Approve	10/16/97			12:11 NCR 947	
10 NCAC 03D .2203	10:18 NCR 2399		11:29 NCR 2187	*	Approve	10/16/97			12:11 NCR 947	
10 NCAC 03D .2301	10:18 NCR 2399		11:29 NCR 2187	*	Approve	10/16/97			12:11 NCR 947	
10 NCAC 03D .2302	10:18 NCR 2399		11:29 NCR 2187	*	Approve	10/16/97			12:11 NCR 947	
10 NCAC 03D .2303	10:18 NCR 2399		11:29 NCR 2187	*	Object	10/16/97				
10 NCAC 03D .2401	10:18 NCR 2399		11:29 NCR 2187	*	Approve	10/16/97	*			
10 NCAC 03M .0105	11:23 NCR 1779		12:06 NCR 459	*						
10 NCAC 03M .0205	11:23 NCR 1779		12:06 NCR 459	*						
Mental Health, Developmental Disabilities and Substance Abuse Services										
10 NCAC 14V .3402	11:08 NCR 449		11:14 NCR 1124	*	Withdrawn	01/16/97				
10 NCAC 14V .3803	11:08 NCR 449		11:24 NCR 1822	*	Approve	05/15/97	*		11:30 NCR 2314	
10 NCAC 14V .5602	11:08 NCR 449		11:24 NCR 1822	*	Withdrawn	01/16/97	*		11:30 NCR 2314	
10 NCAC 15A .0128	11:08 NCR 449		11:24 NCR 1822	*	Approve	05/15/97				
10 NCAC 15A .0129	11:08 NCR 449		11:24 NCR 1822	*	Withdrawn	01/16/97			11:30 NCR 2314	
10 NCAC 18W .0201	10:15 NCR 1478		11:14 NCR 1124	S	Approve	05/15/97			11:30 NCR 2314	
10 NCAC 18W .0202	10:15 NCR 1478		11:14 NCR 1124	S	Object	02/20/97	*			
10 NCAC 18W .0203	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0204	10:15 NCR 1478		11:14 NCR 1124	S	Approve	02/20/97	*			
10 NCAC 18W .0205	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0206	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97	*			
10 NCAC 18W .0207	10:15 NCR 1478		11:14 NCR 1124	S	Approve	02/20/97	*			
10 NCAC 18W .0208	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0209	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0210	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0211	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97	*			
10 NCAC 18W .0212	10:15 NCR 1478		11:14 NCR 1124	S	Approve	02/20/97	*			
				S	Approve	01/16/97	*			

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					Action	Date				
10 NCAC 18W .0213	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0214	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97				
10 NCAC 18W .0215	10:15 NCR 1478		11:14 NCR 1124	S	Approve	02/20/97	*			
10 NCAC 18W .0216	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97				
10 NCAC 18W .0217	10:15 NCR 1478		11:14 NCR 1124	S	Approve	02/20/97	*			
10 NCAC 18W .0218	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0219	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 4511 .0200	11:08 NCR 449		11:14 NCR 1124	S	Object	01/16/97				
10 NCAC 4511 .0203	11:08 NCR 449		11:14 NCR 1124	S	Approve	02/20/97	*			
10 NCAC 4511 .0203	11:08 NCR 449		11:14 NCR 1124	S	Approve	01/16/97	*			
Secretary of Human Resources										
10 NCAC 14V .7006		12:01 NCR 31	12:07 NCR 511	*						
10 NCAC 14V .7101	11:30 NCR 2300		12:06 NCR 459	*						
10 NCAC 14V .7102	11:30 NCR 2300		12:06 NCR 459	*						
10 NCAC 14V .7103	11:30 NCR 2300		12:06 NCR 459	S						
10 NCAC 14V .7104	11:30 NCR 2300		12:06 NCR 459	S						
10 NCAC 14V .7105	11:30 NCR 2300		12:06 NCR 459	S						
Social Services Commission										
10 NCAC 30 .0207	12:11 NCR 919									
10 NCAC 35E .0101		11:16 NCR 1288	11:30 NCR 2301	*	Approve	08/21/97	*		12:07 NCR 561	
10 NCAC 35E .0105		11:16 NCR 1288	11:30 NCR 2301	*	Approve	08/21/97	*		12:07 NCR 561	
10 NCAC 35E .0106		11:16 NCR 1288	11:30 NCR 2301	*	Approve	08/21/97	*		12:07 NCR 561	
10 NCAC 35E .0308		11:16 NCR 1288	11:30 NCR 2301	*	Approve	08/21/97	*		12:07 NCR 561	
10 NCAC 41A .0007		12:11 NCR 938								
10 NCAC 41E	12:11 NCR 919									
10 NCAC 41F .0707		12:11 NCR 938								
10 NCAC 41F .0813		12:11 NCR 938								
10 NCAC 41G	12:11 NCR 919									
10 NCAC 41H .0100	10:17 NCR 2228									
10 NCAC 41H .0102	10:17 NCR 2228		10:21 NCR 2687	*						

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					Action	Date				
10 NCAC 42J .0001		11:16 NCR 1288	11:30 NCR 2301	*	Approve	08/21/97	*		12:07 NCR 561	
10 NCAC 42J .0004		11:16 NCR 1288	11:30 NCR 2301	*	Approve	08/21/97			12:07 NCR 561	
10 NCAC 42J .0005		11:16 NCR 1288	11:30 NCR 2301	*	Object	08/21/97	*			
10 NCAC 42R .0201	12:11 NCR 919				Approve	09/18/97			12:10 NCR 878	
10 NCAC 47A .0502		12:11 NCR 938								
10 NCAC 47B .0102		12:11 NCR 938								
10 NCAC 47B .0303		12:11 NCR 938								
10 NCAC 47B .0304		12:11 NCR 938								
10 NCAC 47B .0305		12:11 NCR 938								
10 NCAC 47B .0403		12:11 NCR 938								
Vocational Rehabilitation Services										
10 NCAC 20C .0200	12:08 NCR 618									
10 NCAC 20C .0600	12:08 NCR 618									
INSURANCE										
11 NCAC 06	12:09 NCR 744									
11 NCAC 10	12:09 NCR 744									
11 NCAC 10 .0602		11:15 NCR 1223	11:19 NCR 1426	*	Approve	03/20/97	*		11:26 NCR 2004	
11 NCAC 10 .0603		11:15 NCR 1223	11:19 NCR 1426	*	Approve	03/20/97	*		11:26 NCR 2004	
11 NCAC 10 .0606		11:15 NCR 1223	11:19 NCR 1426	*	Approve	03/20/97	*		11:26 NCR 2004	
11 NCAC 11	12:09 NCR 744									
11 NCAC 12	12:09 NCR 744									
11 NCAC 12 .1801		12:11 NCR 942								
11 NCAC 12 .1802		12:11 NCR 942								
11 NCAC 12 .1803		12:11 NCR 942								
11 NCAC 12 .1804		12:11 NCR 942								
11 NCAC 13	12:09 NCR 744									
11 NCAC 14	12:09 NCR 744									
11 NCAC 15	12:09 NCR 744									
11 NCAC 16	12:09 NCR 744									

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					Action	Date				
11 NCAC 17	12-09 NCR 744									
11 NCAC 19	12-09 NCR 744									
11 NCAC 20	12-09 NCR 744									
11 NCAC 21	12-09 NCR 744									
Fire and Rescue Commission										
11 NCAC 05	12-09 NCR 744									
Home Inspector Licensure Board										
Home Inspector Licensure Board										
11 NCAC 08	12-09 NCR 744									
11 NCAC 08.1000	12-09 NCR 744									
11 NCAC 08.1001		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn 03/97					Temp Filed over obj
11 NCAC 08.1002		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12-03 NCR 213	Temp Filed over obj
11 NCAC 08.1003		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn 03/97				12-03 NCR 213	Temp Filed over obj
11 NCAC 08.1004		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12-03 NCR 213	Temp Filed over obj
11 NCAC 08.1005		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn 03/97				12-03 NCR 213	Temp Filed over obj
11 NCAC 08.1006		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12-03 NCR 213	Temp Filed over obj
11 NCAC 08.1007		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn 03/97				12-03 NCR 213	Temp Filed over obj
11 NCAC 08.1008		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12-03 NCR 213	Temp Filed over obj
11 NCAC 08.1009		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn 03/97				12-03 NCR 213	Temp Filed over obj
11 NCAC 08.1010		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12-03 NCR 213	Temp Filed over obj
11 NCAC 08.1011		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn 03/97				12-03 NCR 213	Temp Filed over obj
11 NCAC 08.1101		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12-03 NCR 213	Temp Filed over obj
11 NCAC 08.1102		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn 03/97				12-03 NCR 213	Temp Filed over obj
11 NCAC 08.1103		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12-03 NCR 213	Temp Filed over obj
11 NCAC 08.1104		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrawn 03/97				12-03 NCR 213	Temp Filed over obj

11 27 NCR 2049

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					Action	Date				
11 NCAC 08 .1105		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
			11:19 NCR 1416	*	Agency Withdraw 03/97	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1106		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97	*		12:03 NCR 213	Temp Filed over obj
			11:19 NCR 1416	*	Agency Withdraw 03/97	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1107		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
			11:19 NCR 1416	*	Agency Withdraw 03/97	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1108		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
			11:19 NCR 1416	*	Agency Withdraw 03/97	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1109		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
			11:19 NCR 1416	*	Agency Withdraw 03/97	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1110		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
			11:19 NCR 1416	*	Agency Withdraw 03/97	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1111		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
			11:19 NCR 1416	*	Agency Withdraw 03/97	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1112		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
			11:19 NCR 1416	*	Agency Withdraw 03/97	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1113		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
			11:19 NCR 1416	*	Agency Withdraw 03/97	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1114		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
			11:19 NCR 1416	*	Agency Withdraw 03/97	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1115		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
			11:19 NCR 1416	*	Agency Withdraw 03/97	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1116		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
			11:19 NCR 1416	*	Agency Withdraw 03/97	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1201		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
			11:19 NCR 1416	*	Agency Withdraw 03/97	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1202		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
			11:19 NCR 1416	*	Agency Withdraw 03/97	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1203		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
			11:19 NCR 1416	*	Agency Withdraw 03/97	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1204		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
			11:19 NCR 1416	*	Agency Withdraw 03/97	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1205		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
			11:19 NCR 1416	*	Agency Withdraw 03/97	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1206		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
			11:19 NCR 1416	*	Agency Withdraw 03/97	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1207		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
			11:19 NCR 1416	*	Agency Withdraw 03/97	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1208		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
			11:19 NCR 1416	*	Agency Withdraw 03/97	06/19/97			12:03 NCR 213	Temp Filed over obj
11 NCAC 08 .1209		11:15 NCR 1212	11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj
			11:19 NCR 1416	*	Agency withdraw 03/97	06/19/97			12:03 NCR 213	Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	Temp Filed over obj

JUSTICE

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					Action	Date				
Alarm Systems Licensing Board										
12 NCAC 11	11:30 NCR 2300									
12 NCAC 11 .0202	10:24 NCR 3057		11:14 NCR 1136	*	Tabled Approve	06/19/97 08/21/97			12:07 NCR 561	
Criminal Justice Education and Training Standards Commission										
12 NCAC 11 .0210	12:08 NCR 618									
12 NCAC 09A .0103	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09B .0102	11:14 NCR 1109		11:20 NCR 1539	*	Object Approve	04/17/97 05/15/97	*		11:30 NCR 2314 11:29 NCR 2211	
12 NCAC 09B .0111	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09B .0206	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09B .0224	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09B .0225	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09B .0409	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0304	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0307	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97	*		11:29 NCR 2211	
12 NCAC 09C .0309	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0601	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0602	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0603	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0604	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0605	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0606	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0607	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0608	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	

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12 NCAC 07D .0204	11:14 NCR 1108		12:08 NCR 622	*						
12 NCAC 07D .0504	11:10 NCR 818		12:08 NCR 622	*						
12 NCAC 07D .0701	11:10 NCR 818		12:08 NCR 622	*						
12 NCAC 07D .0801	11:10 NCR 818		12:08 NCR 622	*						
12 NCAC 07D .0902	11:10 NCR 818		12:08 NCR 622	*						
12 NCAC 07D .1106	11:14 NCR 1108		12:08 NCR 622	*						
Sheriffs' Education and Training Standards Commission										
12 NCAC 10B .0101	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .0103	12:07 NCR 508									
12 NCAC 10B .0107	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .0202	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .0204	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .0206	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .0304	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .0401	12:07 NCR 508									
12 NCAC 10B .0402	12:07 NCR 508									
12 NCAC 10B .0403	12:07 NCR 508									
12 NCAC 10B .0406	12:07 NCR 508									
12 NCAC 10B .0407	12:07 NCR 508									
12 NCAC 10B .0408	12:07 NCR 508									
12 NCAC 10B .0409	12:07 NCR 508									
12 NCAC 10B .0505	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .0601	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .0603	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .0605	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .0701	12:07 NCR 508									
12 NCAC 10B .0702	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .0702	12:07 NCR 508									
12 NCAC 10B .0703	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .0704	12:04 NCR 242		12:08 NCR 624	*						

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12 NCAC 10B .0705	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .0706	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .0707	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .0801	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .0802	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .0903	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .0908	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .0909	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .0910	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .0911	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .1002	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .1004	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .1005	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .1006	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .1101	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .1101	12:07 NCR 508		12:08 NCR 624	*						
12 NCAC 10B .1102	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .1102	12:07 NCR 508		12:08 NCR 624	*						
12 NCAC 10B .1103	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .1103	12:07 NCR 508		12:08 NCR 624	*						
12 NCAC 10B .1104	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .1104	12:07 NCR 508		12:08 NCR 624	*						
12 NCAC 10B .1105	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .1202	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .1204	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .1205	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .1206	12:04 NCR 242		12:08 NCR 624	*						
12 NCAC 10B .1301	12:07 NCR 508		12:08 NCR 624	*						
12 NCAC 10B .1302	12:07 NCR 508		12:08 NCR 624	*						
12 NCAC 10B .1303	12:07 NCR 508		12:08 NCR 624	*						

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12 NCAC 10B .1304	12:07 NCR 508									
12 NCAC 10B .2002	12:07 NCR 508									
12 NCAC 10B .2101	12:07 NCR 508									
12 NCAC 10B .2102	12:07 NCR 508									
12 NCAC 10B .2104	12:07 NCR 508									
12 NCAC 10B .2105	12:07 NCR 508									
State Bureau of Investigation/Division of Criminal Information										
12 NCAC 04E .0103	11:11 NCR 881		11:17 NCR 1339	*	Approve	05/15/97			11:30 NCR 2314	
12 NCAC 04E .0104	11:17 NCR 1336		11:22 NCR 1710	*	Approve	07/17/97	*		12:04 NCR 317	
12 NCAC 04E .0401	11:17 NCR 1336		11:22 NCR 1710	*	Approve	07/17/97			12:04 NCR 317	
12 NCAC 04E .0404	11:17 NCR 1336		11:22 NCR 1710	*	Approve	07/17/97	*		12:04 NCR 317	
12 NCAC 04E .0405	11:17 NCR 1336		11:22 NCR 1710	*	Approve	07/17/97	*		12:04 NCR 317	
LABOR										
Boiler & Pressure Vessel										
13 NCAC 13 .0213		11:25 NCR 1918								12:08 NCR 613
Occupational Safety and Health										
*Verbatim Adoption Federal Standards										
*13 NCAC 07F .0101										12:08 NCR 613
*13 NCAC 07F .0501										12:08 NCR 613
*13 NCAC 07F .0502										12:08 NCR 613
13 NCAC 07A .0302	11:26 NCR 1984		12:03 NCR 170	*						
13 NCAC 07A .0708	11:26 NCR 1984		12:03 NCR 170	*						
13 NCAC 07A .0900	11:11 NCR 881									
13 NCAC 07F	11:03 NCR 106									
13 NCAC 07F .0101	11:24 NCR 1817		12:05 NCR 354	*						
13 NCAC 07F .0101	11:26 NCR 1984		12:03 NCR 170	*						
13 NCAC 07F .0102	11:26 NCR 1984		12:03 NCR 170	*						
13 NCAC 07F .0201	11:03 NCR 106									
13 NCAC 07F .0201	11:09 NCR 568									

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					Action	Date				
13 NCAC 07F .0201	11:24 NCR 1817		12:02 NCR 60	*						
13 NCAC 07F .0201	11:26 NCR 1984		12:03 NCR 170	*						
13 NCAC 07F .0301	11:03 NCR 106									
13 NCAC 07F .0301	11:26 NCR 1984		12:03 NCR 170	*						
13 NCAC 07F .0426	11:26 NCR 1984		12:03 NCR 170	*						
13 NCAC 07F .0501	11:26 NCR 1984		12:03 NCR 170	*						
13 NCAC 07F .0502	11:26 NCR 1984		12:03 NCR 170	*						
13 NCAC 16 .0101	11:26 NCR 1984		12:05 NCR 412	*						
13 NCAC 16 .0102	11:26 NCR 1984		12:05 NCR 412	*						
13 NCAC 16 .0103	11:26 NCR 1984		12:05 NCR 412	*						
13 NCAC 16 .0201	11:26 NCR 1984		12:05 NCR 412	*						
13 NCAC 16 .0202	11:26 NCR 1984		12:05 NCR 412	*						
13 NCAC 16 .0203	11:26 NCR 1984		12:05 NCR 412	*						
13 NCAC 16 .0204	11:26 NCR 1984		12:05 NCR 412	*						
13 NCAC 16 .0205	11:26 NCR 1984		12:05 NCR 412	*						
13 NCAC 16 .0206	11:26 NCR 1984		12:05 NCR 412	*						
13 NCAC 16 .0207	11:26 NCR 1984		12:05 NCR 412	*						
13 NCAC 16 .0208	11:26 NCR 1984		12:05 NCR 412	*						
13 NCAC 16 .0301	11:26 NCR 1984		12:05 NCR 412	*						
13 NCAC 16 .0302	11:26 NCR 1984		12:05 NCR 412	*						
13 NCAC 16 .0303	11:26 NCR 1984		12:05 NCR 412	*						
13 NCAC 16 .0401	11:26 NCR 1984		12:05 NCR 412	*						
13 NCAC 16 .0402	11:26 NCR 1984		12:05 NCR 412	*						
13 NCAC 16 .0501	11:26 NCR 1984		12:05 NCR 412	*						
13 NCAC 16 .0502	11:26 NCR 1984		12:05 NCR 412	*						
13 NCAC 16 .0601	11:26 NCR 1984		12:05 NCR 412	*						
13 NCAC 16 .0602	11:26 NCR 1984		12:05 NCR 412	*						

LANDSCAPE ARCHITECTS, BOARD OF

21 NCAC 26 .0104
12:08 NCR 730

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					Action	Date				
21 NCAC 26 .0105		12:08 NCR 730								
21 NCAC 26 .0302		12:08 NCR 730								
21 NCAC 26 .0506		12:08 NCR 730								
21 NCAC 26 .0507		12:08 NCR 730								
21 NCAC 26 .0508		12:08 NCR 730								
21 NCAC 26 .0509		12:08 NCR 730								
MEDICAL BOARD										
21 NCAC 32B	11:18 NCR 1369									
21 NCAC 32B	12:04 NCR 245									
21 NCAC 32F .0103		11:18 NCR 1386 Temp Expired	12:04 NCR 294	*						
21 NCAC 32H .0102	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 32H .0201	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 32H .0202	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 32H .0203	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 32H .0301	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 32H .0302	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 32H .0303	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 32H .0401	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 32H .0402	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 32H .0402		12:04 NCR 314								
21 NCAC 32H .0403	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 32H .0404	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 32H .0405	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 32H .0406	11:26 NCR 1986		12:04 NCR 294	L						
21 NCAC 32H .0407	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 32H .0408	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 32H .0409	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 32H .0501	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 32H .0502	11:26 NCR 1986		12:04 NCR 294	*						

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					Action	Date				
21 NCAC 3211.0503	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 3211.0504	11:26 NCR 1986		12:04 NCR 294	L						
21 NCAC 3211.0505	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 3211.0506	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 3211.0507	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 3211.0508	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 3211.0601	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 3211.0602	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 3211.0801	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 3211.0901	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 3211.1004	11:26 NCR 1986		12:04 NCR 294	*						
21 NCAC 320	11:18 NCR 1369									
MORTUARY SCIENCE, BOARD OF										
21 NCAC 34A	12:09 NCR 745									
21 NCAC 34A.0201		12:07 NCR 556								
21 NCAC 34B	12:09 NCR 745									
21 NCAC 34C	12:09 NCR 745									
21 NCAC 34D	12:09 NCR 745									
NURSING, BOARD OF										
21 NCAC 36.0109	11:24 NCR 1821		11:28 NCR 2130	*						
21 NCAC 36.0227	12:05 NCR 338									
21 NCAC 36.0320	11:14 NCR 1109		11:19 NCR 1428	*	Object Approve	03/20/97 04/17/97	*		11:29 NCR 2211	
21 NCAC 36.0601	12:01 NCR 5		12:06 NCR 479	*						
21 NCAC 36.0602	12:01 NCR 5		12:06 NCR 479	*						
21 NCAC 36.0603	12:01 NCR 5		12:06 NCR 479	*						
21 NCAC 36.0604	12:01 NCR 5		12:06 NCR 479	*						
21 NCAC 36.0605	12:01 NCR 5		12:06 NCR 479	*						
21 NCAC 36.0606	12:01 NCR 5		12:06 NCR 479	*						
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					Action	Date				
21 NCAC 37D .0202		11:11 NCR 940	11:18 NCR 1372	*	Approve	04/17/97	*		11:29 NCR 2211	
21 NCAC 37G .0102		11:11 NCR 940	11:18 NCR 1372	*	Approve	04/17/97			11:29 NCR 2211	
OPTICIANS, BOARD OF										
21 NCAC 40	12:09 NCR 745									
21 NCAC 40 .0108		12:07 NCR 557								
OPTOMETRY, BOARD OF										
21 NCAC 42	12:06 NCR 453									
21 NCAC 42B .0107	11:18 NCR 1369									
21 NCAC 42E .0102		12:06 NCR 487	11:25 NCR 1917	*	Approve	09/18/97			12:10 NCR 878	
PHARMACY, BOARD OF										
21 NCAC 46 .1601	12:03 NCR 168		12:07 NCR 527	*						
21 NCAC 46 .1603	12:03 NCR 168		12:07 NCR 797	*						
21 NCAC 46 .1604	12:03 NCR 168		12:07 NCR 527	*						
21 NCAC 46 .1804	12:03 NCR 168		12:07 NCR 797	*						
21 NCAC 46 .1810	12:03 NCR 168		12:07 NCR 527	*						
21 NCAC 46 .1813	12:03 NCR 168		12:07 NCR 797	*						
21 NCAC 46 .2103	12:03 NCR 168		12:07 NCR 527	*						
21 NCAC 46 .2201	12:03 NCR 168		12:07 NCR 797	*						
21 NCAC 46 .2301	12:03 NCR 168		12:07 NCR 527	*						
PHYSICAL THERAPY EXAMINERS										
21 NCAC 48A .0003	12:08 NCR 619		12:07 NCR 797	*						
21 NCAC 48A .0005	12:08 NCR 619		12:07 NCR 527	*						
21 NCAC 48B .0002	12:08 NCR 619		12:07 NCR 797	*						
21 NCAC 48C .0101	12:08 NCR 619		12:07 NCR 527	*						
21 NCAC 48C .0102	12:08 NCR 619		12:07 NCR 797	*						
21 NCAC 48C .0103	12:08 NCR 619		12:07 NCR 527	*						

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					Action	Date				
21 NCAC 48C .0301	12-08 NCR 619									
21 NCAC 48C .0302	12-08 NCR 619									
21 NCAC 48C .0401	12-08 NCR 619									
21 NCAC 48D .0002	12-08 NCR 619									
21 NCAC 48D .0003	12-08 NCR 619									
21 NCAC 48D .0004	12-08 NCR 619									
21 NCAC 48D .0005	12-08 NCR 619									
21 NCAC 48D .0006	12-08 NCR 619									
21 NCAC 48D .0009	12-08 NCR 619									
21 NCAC 48D .0010	12-08 NCR 619									
21 NCAC 48E .0101	12-08 NCR 619									
21 NCAC 48E .0104	12-08 NCR 619									
21 NCAC 48E .0110	12-08 NCR 619									
21 NCAC 48F .0002	12-08 NCR 619									
21 NCAC 48G .0202	12-08 NCR 619									
21 NCAC 48G .0403	12-08 NCR 619									
21 NCAC 48G .0404	12-08 NCR 619									
21 NCAC 48G .0504	12-08 NCR 619									
21 NCAC 48G .0512	12-08 NCR 619									
21 NCAC 48G .0601	12-08 NCR 619									
PLUMBING, HEATING AND FIRE SPRINKLER CONTRACTORS, EXAMINERS OF										
21 NCAC 50 .0106	12-07 NCR 509									
21 NCAC 50 .0202	12-07 NCR 509									
21 NCAC 50 .0301	12-07 NCR 509	12-07 NCR 557								
21 NCAC 50 .0306	12-07 NCR 509	12-07 NCR 557								
21 NCAC 50 .0404	12-07 NCR 509	12-07 NCR 557								
21 NCAC 50 .0405	12-07 NCR 509									
21 NCAC 50 .0506	12-07 NCR 509	12-07 NCR 557								
21 NCAC 50 .0510	12-07 NCR 509									

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21 NCAC 50 .0511	12:07 NCR 509	12:07 NCR 557								
21 NCAC 50 .1102	12:07 NCR 509	12:07 NCR 557								
21 NCAC 50 .1104	12:07 NCR 509									
21 NCAC 50 .1201	12:07 NCR 509									
21 NCAC 50 .1205	12:07 NCR 509									
21 NCAC 50 .1206	12:07 NCR 509									
21 NCAC 50 .1210	12:07 NCR 509									
21 NCAC 50 .1212	12:07 NCR 509									
21 NCAC 50 .1302	12:07 NCR 509									
PROFESSIONAL ENGINEERS AND LAND SURVEYORS										
21 NCAC 56	12:08 NCR 619									
PSYCHOLOGY BOARD										
21 NCAC 54 .1611	12:05 NCR 338									
21 NCAC 54 .1612	12:05 NCR 338									
21 NCAC 54 .1613	12:05 NCR 338									
21 NCAC 54 .2006	12:05 NCR 338									
21 NCAC 54 .2010	12:05 NCR 338									
21 NCAC 54 .2104	12:05 NCR 338									
21 NCAC 54 .2301	12:05 NCR 338									
21 NCAC 54 .2302	12:05 NCR 338									
21 NCAC 54 .2303	12:05 NCR 338									
21 NCAC 54 .2304	12:05 NCR 338									
21 NCAC 54 .2305	12:05 NCR 338									
21 NCAC 54 .2306	12:05 NCR 338									
21 NCAC 54 .2307	12:05 NCR 338									
21 NCAC 54 .2308	12:05 NCR 338									
21 NCAC 54 .2309	12:05 NCR 338									
21 NCAC 54 .2310	12:05 NCR 338									
21 NCAC 54 .2311	12:05 NCR 338									

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21 NCAC 54 .2312	12-05 NCR 338									
21 NCAC 54 .2313	12-05 NCR 338									
21 NCAC 54 .2314	12-05 NCR 338									
21 NCAC 54 .2401	12-05 NCR 338									
21 NCAC 54 .2402	12-05 NCR 338									
21 NCAC 54 .2501	12-05 NCR 338									
21 NCAC 54 .2502	12-05 NCR 338									
21 NCAC 54 .2503	12-05 NCR 338									
21 NCAC 54 .2504	12-05 NCR 338									
21 NCAC 54 .2505	12-05 NCR 338									
21 NCAC 54 .2601	12-05 NCR 338									
21 NCAC 54 .2602	12-05 NCR 338									
21 NCAC 54 .2704	12-05 NCR 338									
21 NCAC 54 .2705	12-05 NCR 338									
21 NCAC 54 .2706	12-05 NCR 338									
PUBLIC EDUCATION										
16 NCAC 06C .0307			12-01 NCR 18	*	Object	10/16/97				
16 NCAC 06C .0310		12-03 NCR 210	12-01 NCR 18	*						
16 NCAC 06C .0502		12-09 NCR 834								
16 NCAC 06D .0103			12-01 NCR 18	*	Object	10/16/97				
16 NCAC 06D .0301			12-01 NCR 18	*	Object	10/16/97				
16 NCAC 06D .0303			12-01 NCR 18	*	Approve	10/16/97			12-11 NCR 947	
16 NCAC 06D .0305			12-01 NCR 18	*	Approve	10/16/97			12-11 NCR 947	
16 NCAC 06D .0306			12-01 NCR 18	*	Approve	10/16/97			12-11 NCR 947	
16 NCAC 06E .0105		12-05 NCR 433								
16 NCAC 06G .0304			12-01 NCR 18	S	Approve	10/16/97			12-11 NCR 947	
16 NCAC 06G .0305			12-01 NCR 18	*	Object	10/16/97				
16 NCAC 06G .0306			12-01 NCR 18	*	Object	10/16/97				
16 NCAC 06G .0307			12-01 NCR 18	S	Object	10/16/97				

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16 NCAC 06G .0308			12:01 NCR 18	S	Object	10/16/97				
16 NCAC 06G .0309			12:01 NCR 18	S	Approve	10/16/97	*		12:11 NCR 947	
16 NCAC 06G .0401			12:01 NCR 18	*	Approve	10/16/97			12:11 NCR 947	
16 NCAC 06G .0402			12:01 NCR 18	*	Approve	10/16/97			12:11 NCR 947	
16 NCAC 06G .0403			12:01 NCR 18	*	Approve	10/16/97			12:11 NCR 947	
16 NCAC 06G .0404			12:01 NCR 18	*	Approve	10/16/97			12:11 NCR 947	
Public School Administration, Standards Board for										
16 NCAC 07 .0201		12:07 NCR 533								
16 NCAC 07 .0202		12:07 NCR 533								
16 NCAC 07 .0301		12:07 NCR 533								
16 NCAC 07 .0302		12:07 NCR 533								
16 NCAC 07 .0303		12:07 NCR 533								
REAL ESTATE COMMISSION										
21 NCAC 58A .0101	12:08 NCR 620									
21 NCAC 58A .0103	12:08 NCR 620									
21 NCAC 58A .0104	12:08 NCR 620									
21 NCAC 58A .0105	12:08 NCR 620									
21 NCAC 58A .0107	12:08 NCR 620									
21 NCAC 58A .0108	12:08 NCR 620									
21 NCAC 58A .0109	12:08 NCR 620									
21 NCAC 58A .0110	12:08 NCR 620									
21 NCAC 58A .0114	12:08 NCR 620									
21 NCAC 58A .0302	12:08 NCR 620									
21 NCAC 58A .0302	10:22 NCR 2829		11:03 NCR 114	*	Object Approve	12/19/96 01/16/97	*		11:22 NCR 1717	
21 NCAC 58A .0502	12:08 NCR 620									
21 NCAC 58A .0505	12:08 NCR 620									
21 NCAC 58A .0506	12:08 NCR 620									
21 NCAC 58A .0601	12:08 NCR 620									
21 NCAC 58A .0613	12:08 NCR 620									

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21 NCAC 58A .0614	12-08 NCR 620									
21 NCAC 58A .1501	10-22 NCR 2829		11-03 NCR 114	*	Object	12/19/96				
21 NCAC 58A .1502	10-22 NCR 2829		11-03 NCR 114	*	Approve	01/16/97	*		11-22 NCR 1717	
21 NCAC 58A .1702	12-08 NCR 620				Object	12/19/96				
21 NCAC 58B .0402	12-08 NCR 620				Approve	01/16/97	*		11-22 NCR 1717	
21 NCAC 58E .0407	12-08 NCR 620									
REVENUE										
17 NCAC 01C .0506			11-10 NCR 838	*	Approve	01/16/97	*		11-22 NCR 1717	12-04 NCR 228
Tax Review Board										12-05 NCR 336
Tax Review Board										
SECRETARY OF STATE										
18 NCAC 06 .1104		12-07 NCR 534								
18 NCAC 06 .1205		12-07 NCR 534								
18 NCAC 06 .1206		12-07 NCR 534								
18 NCAC 06 .1211		12-07 NCR 534								
18 NCAC 06 .1212		12-07 NCR 534								
18 NCAC 06 .1304		12-07 NCR 534								
18 NCAC 06 .1401		12-07 NCR 534								
18 NCAC 06 .1410		12-07 NCR 534								
18 NCAC 06 .1411		12-07 NCR 534								
18 NCAC 06 .1412		12-07 NCR 534								
18 NCAC 06 .1506		12-07 NCR 534								
18 NCAC 06 .1509		12-07 NCR 534								
18 NCAC 06 .1702		12-07 NCR 534								
18 NCAC 06 .1703		12-07 NCR 534								
18 NCAC 06 .1704		12-07 NCR 534								
18 NCAC 06 .1705		12-07 NCR 534								
18 NCAC 06 .1706		12-07 NCR 534								
18 NCAC 06 .1712		12-07 NCR 534								

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18 NCAC 06 .1713 12:07 NCR 534
 18 NCAC 06 .1714 12:07 NCR 534
 18 NCAC 06 .1801 12:07 NCR 534
 18 NCAC 06 .1802 12:07 NCR 534
 18 NCAC 06 .1803 12:07 NCR 534
 18 NCAC 06 .1804 12:07 NCR 534
 18 NCAC 06 .1805 12:07 NCR 534
 18 NCAC 06 .1806 12:07 NCR 534
 18 NCAC 06 .1809 12:07 NCR 534
 18 NCAC 06 .1811 12:07 NCR 534

SPEECH AND LANGUAGE PATHOLOGISTS AND AUDIOLOGIST, BOARD OF EXAMINERS

21 NCAC 64 .0209 11:23 NCR 1780 12:05 NCR 427 *
 21 NCAC 64 .0303 11:23 NCR 1780
 21 NCAC 64 .1001 11:23 NCR 1780 12:05 NCR 427 *
 21 NCAC 64 .1002 11:23 NCR 1780 12:05 NCR 427 *
 21 NCAC 64 .1003 11:23 NCR 1780 12:05 NCR 427 *
 21 NCAC 64 .1004 11:23 NCR 1780 12:05 NCR 427 *
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25 NCAC 01D .2501 11:13 NCR 1062 11:19 NCR 1429 * Approve 09/18/97 12:10 NCR 878
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 25 NCAC 01D .2503 11:13 NCR 1062 11:19 NCR 1429 * Approve 09/18/97 12:10 NCR 878
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 25 NCAC 01D .2504 11:13 NCR 1062 11:19 NCR 1429 * Approve 09/18/97 12:10 NCR 878
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 25 NCAC 01D .2505 11:13 NCR 1062 11:19 NCR 1429 * Approve 09/18/97 12:10 NCR 878
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 25 NCAC 01D .2507 11:13 NCR 1062 11:19 NCR 1429 * Approve 09/18/97 12:10 NCR 878
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 25 NCAC 01D .2509 11:13 NCR 1062 11:19 NCR 1429 * Approve 09/18/97 12:10 NCR 878
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 25 NCAC 01D .2511 11:13 NCR 1062 11:19 NCR 1429 * Approve 09/18/97 12:10 NCR 878
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25 NCAC 01D .2514		Temp Expired 11:13 NCR 1062	11:19 NCR 1429	*	Approve	09/18/97	*		12:10 NCR 878	
25 NCAC 01D .2516		Temp Expired 11:13 NCR 1062	11:19 NCR 1429	*						
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19A NCAC 02D .0415	11:20 NCR 1537		11:26 NCR 2004	*	Approve	10/16/97			12:04 NCR 317	
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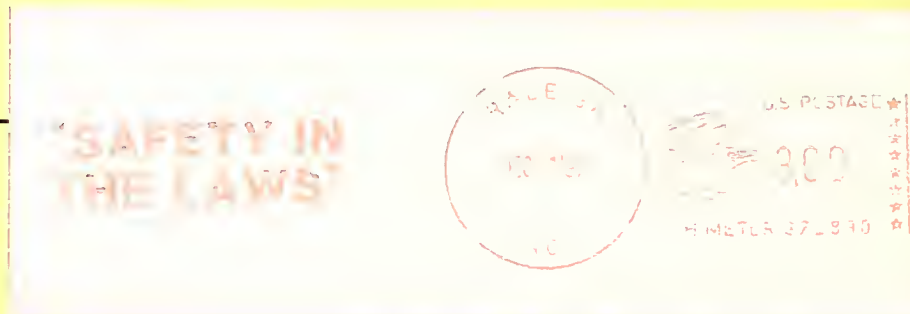
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